

From: [Greenberg, Ken](#)
To: [Karlson, Kristine](#)
Subject: FW: Armstrong Chicken Ranch
Date: Friday, March 7, 2014 11:28:35 AM
Attachments: [image001.jpg](#)
[Armstrong Environmental Complaint.pdf](#)
[Armstrong October 2008 Inspection.pdf](#)
[Armstrong December 2008 Inspection.pdf](#)

Kristine – I'm going to send you a few e-mails with information about the Armstrong Egg Farm in San Diego County adjacent to the San Pasqual Tribal land. We will be joining the Regional Water Quality Control Board on an inspection of the farm sometime in the next couple of weeks. Please review this material and then we can discuss whether or not you can do this inspection.

There are two water issues of concern to the Tribe – 1. control of wastewater/storm water discharges and 2. Possible contamination of their drinking water sources.

What I found;

1. Drinking Water - Water Division checked it out and found no contamination in the tribe's public water supply (combination of wells on tribal land and piped water from neighboring Valley Center PWSS). However, 3 of the tribes wells located closest to the egg farm have nitrates above the MCL. These 3 wells are currently used only for irrigation but the tribe is considering using them as part of its drinking water supply.
2. Wastewater - the chicken ranch has been operating under a conditional waiver from the Regional Water Quality Control Board which means that RWQCB concluded they're not discharging and therefore don't need a discharge permit. However, in a 2008 inspection the Board observed evidence of discharge, issued an NOV and asked the ranch to apply for a discharge permit. For some reason the ball was dropped and the RWQCB never issued a permit. Because it's been a few years since ball was dropped, RWQCB agreed that they'll go out now to inspect and determine anew if a discharge permit is needed. We will join the RWQCB on this inspection. We also found in RWQCB documents that in 2007 San Diego County storm water inspectors observed process wastewater discharge from the egg farm to the county storm drains and issued a warning to the egg farm. (see attached files with 2008 complaint lodged with RWQCB.)

From: Sakamoto, Glenn
Sent: Monday, February 24, 2014 1:05 PM
To: Greenberg, Ken
Subject: FW: Armstrong Chicken Ranch

Ken – Here is the final response from RWQCB, San Diego office, on the background of Armstrong Chicken Ranch.

From: Mata, Michelle@Waterboards [<mailto:Michelle.Mata@waterboards.ca.gov>]
Sent: Monday, February 24, 2014 12:07 PM
To: Sakamoto, Glenn
Cc: Outwin, Brandi@Waterboards; Barker, David@Waterboards
Subject: Armstrong Chicken Ranch

Hello Glenn,

Here is a summary of my findings for Armstrong Egg Ranch (Facility):

- The Facility is not covered under an NPDES/WDR permit, however, they are enrolled under a San Diego Water Board conditional waiver for discharges from animal operations. The Conditional Waivers expired February 3, 2014. The San Diego Water Board is in the process of renewing the waivers.
- The Conditional Waiver does not require groundwater monitoring, therefore we do not have any nitrate data. You should contact: Tom Lambert, County of San Diego Department of Environmental Health. I previously sent you his contact information.
- Our records indicate the Facility has over 300,000 hens; based on available information it appears Armstrong Chicken Ranch is a CAFO under 40 CFR 122.23 criteria.
- In October 2008, the San Diego Water Board received an Environmental Complaint and Petition for Enforcement from the Humane Society of the United States (attached). The complaint alleged that the Facility was illegally discharging wastewater into storm drains and onto the neighbors land and requested the San Diego Water Board initiate an investigation.
- An inspection was conducted in October 2008 (attached). In summary, the inspection report states that the Facility was not in compliance with the conditional waiver. Although there were no discharges at the time of the inspection, there was evidence of previous discharges. In addition, the Facility did not have adequate BMPs to ensure process wastewater didn't leave the site or to prevent storm water from coming into contact with manure piles.
- In November 2008, the San Diego Water Board issued a Notice of Violation to the Facility for the failure to comply with the San Diego Water Board Basin Plan Prohibitions and Conditional Waiver Requirements.
- In December 2008, the San Diego Water Board conducted a follow-up inspection of the Facility (attached). The inspection report states that the facility had implemented temporary BMPs and management measures to prevent discharges from flowing onto adjacent properties or to the storm water conveyance system. The report also notes that the San Diego Water Board was considering issuing individual WDRs to the Facility.
- In March 2009, the San Diego Water Board sent a letter to the Facility requesting the submittal of a Report of Waste Discharge (ROWD). I was not able to locate a ROWD in our records. The March 2009 letter did not indicate a deadline for submittal.
- In March 2010, the County of San Diego Agriculture, Weights, and Measures staff conducted an inspection of the Facility and indicated (in an email to the San Diego Water Board) that the owner of the Facility was waiting for grant funding to proceed with engineering designs and construction of additional facilities. This is the last correspondence in our files.

Next steps:

The San Diego Water Board plans to conduct an inspection of the Facility in the near future (date TBD). Please let me know if you (or someone in your office) are interested in attending. We will also be following up on the status of the ROWD.

Feel free to contact me if you have any questions or would like to discuss further.

Respectfully,

Michelle Mata
Water Resource Control Engineer
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
(619) 521-3369

Description: cid:image001.jpg@01CEB376.E14FF6B0



***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
image001.jpg
which may be a computer program. This attached computer program could
contain a computer virus which could cause harm to EPA's computers,
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced
into the EPA network. EPA is deleting all computer program attachments
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you
should contact the sender and request that they rename the file name
extension and resend the Email with the renamed attachment. After
receiving the revised Email, containing the renamed attachment, you can
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

January 2, 2009

CERTIFIED MAIL

7008 0150 0003 7457 8001

In reply refer to:

GWB:ORCU:agrove

Mr. Ryan Armstrong
Armstrong Farms
P.O. Box 2299
27431 N Lake Wohlford Road
Valley Center, CA 92082

Dear Mr. Armstrong:

SUBJECT: FOLLOW-UP SITE INSPECTION - ARMSTRONG FARMS, VALLEY CENTER, CA

Enclosed is a copy of the Inspection Report for Armstrong Farms, located in Valley Center, CA. The inspection was conducted on December 22, 2008 by Ms. Amy Grove and Mr. Fisayo Osibodu of the Groundwater Basins Branch from the California Regional Water Quality Control Board, San Diego Region (Regional Board). This inspection was a follow-up to the inspection conducted by Staff on October 14, 2008 and to the Notice of Violation No. R9-2008-0149 issued on November 21, 2008.

In summary, the inspection report states that temporary best management practices (BMPs) and management measures (MMs) have been implemented at the site since the previous inspection in mid-October. Controls have been installed to divert storm water runoff and waste waters back onto the site, in order to prevent discharges from flowing onto adjacent properties or to the storm water conveyance system. Staff did not observe any illicit discharges during the course of the inspection despite the rainy conditions. Several permanent BMPs and MMs being considered for use at the site were discussed at length. Staff has agreed to meet to discuss the measures under consideration, in January 2009.

As discussed during the inspection, the Regional Board is considering issuing individual waste discharge requirements for the site in early 2009. If the Regional Board determines that this is the most appropriate course of action for Armstrong Farms, then a letter requesting a revised Report of Waste Discharge and Waste Management Plan will be forthcoming.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please

California Environmental Protection Agency

Mr. Ryan Armstrong
Armstrong Farms
Follow-up Site Inspection

- 2 -

January 2, 2009

include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions or require further information, please contact Ms. Amy Grove at (858) 637-7136, or via e-mail at agrove@waterboards.ca.gov, or Mr. Bob Morris at (858) 467-2962, or via e-mail at bmorris@waterboards.ca.gov.

Sincerely,



Julie Chan
Supervising Engineering Geologist
Groundwater Basins Branch

JC:rwm:alg

Enclosure: December 22, 2008 Site Inspection Report with Photos

cc: Ms. Nancy Appel, Water Quality and Hazardous Materials Supervisor, County of San Diego
Department of Agriculture, Weights and Measures, 5555 Overland Avenue, Suite 3101, San Diego,
CA 92123

Ms. Maureen Stapleton, General manager, San Diego County Water Authority, 4677 Overland
Avenue, San Diego, CA 92123

Mr. Clay Phillips, City Manager, City of Escondido, City Hall, Second Floor, 201 North Broadway,
Escondido, CA 92025

Ms. Katelyn Kinn, San Diego Coastkeeper, 5053 1/2 Mission Blvd., San Diego, CA 92109

Mr. Ramon Hernandez, (b) (6)

Ms. Jessica Culpepper, Mr. Peter Brandt, The Humane Society of the United States, 2100 L. Street
NW, Washington, DC 20037

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION

FACILITY INSPECTION DATA ENTRY FORM

INSPECTION DATE: 12/22/08 TIME: 9:30am WDID: 9000001871 ORDER NO. W-3 FILE NO. 731059

FACILITY REPRESENTATIVE(S) PRESENT DURING INSPECTION: Mr. Ryan Armstrong

Ryan i Alan Armstrong
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

Armstrong Farms
FACILITY OR DEVELOPER NAME (if different from owner)

(b) (6)
OWNER PHONE #

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

(b) (6)
FACILITY STREET ADDRESS

Valley Center, CA
FACILITY CITY AND STATE

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS (CHECK ALL THAT APPLY)

- ☐ MS4 URBAN RUNOFF REQUIREMENTS NPDES NOS. CAS0108758, CAS0108740 or CAS0108766
- ☐ CONSTRUCTION GENERAL PERMIT ORDER NO. 99-08-DWQ, NPDES NO. CAS000002
- ☐ CALTRANS GENERAL PERMIT ORDER NO. 99-06-DWQ, NPDES NO. CAS000003
- ☐ INDUSTRIAL GENERAL PERMIT ORDER NO. 97-03-DWQ, NPDES NO. CAS000001
- ☐ GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- ☒ GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- ☐ SECTION 401 WATER QUALITY CERTIFICATION
- ☐ CWC SECTION 13264

INSPECTION TYPE (Check One)

- A1 ☐ "A" type compliance—Comprehensive inspection in which samples are taken. (EPA Type S)
- B1 ☐ "B" type compliance—A routine nonsampling inspection. (EPA Type C)
- 02 ☐ Noncompliance follow-up—Inspection made to verify correction of a previously identified violation.
- 03 ☒ Enforcement follow-up—Inspection made to verify that conditions of an enforcement action are being met.
- 04 ☐ Complaint—Inspection made in response to a complaint.
- 05 ☐ Pre-requirement—Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
- 06 ☐ Miscellaneous — inspection type is not included on this list, may include NOT, NEC, NONA or other types
- 07 ☐ Pretreatment Audit (every five years)
- 08 ☐ Pretreatment Compliance (yearly except audit year)

INSPECTION FINDINGS

- N Were violations noted during this inspection? (Yes/No/Review Sample Results)
- N Were samples taken? (N=no) If YES then, G= grab or C= Composite and attach a copy of the sample results/chain of custody form

I. COMPLIANCE HISTORY:

Nov. R9-2008-0149 issued 11/21/08 for Violations of Conditional Waiver No. 3, Resolution No. R9-2007-0104

II. FINDINGS

Staff did not observe stormwater or process water leaving the site - it was raining at the time of the inspection. Temporary BMPs and management measures are in place to divert stormwater & process water back onto the site, and to prevent run-off from leaving

FACILITY: Armstrong Farms (WDID) 9000001871 INSPECTION DATE: 12/22/08

the site. The owners have consulted with several engineers regarding the design of permanent BMPs and specifically, detention ponds to collect stormwater + process water; and for the design of permanent management measures if for composting areas.

Staff informed the owners of its intent to issue site-specific waste discharge requirements, as composting is no longer covered under the Regional Board waivers.

III. RECOMMENDATIONS AND ADDITIONAL ITEMS FOR FOLLOWUP

Temporary BMPs should be updated to more permanent BMPs. Regional Board staff will meet with owners in January 2009 to discuss plans for permanent BMPs and water detention ponds.

SWPPP Reviewed: YES ☐ NO ☒COPY PROVIDED TO OPERATOR? YES ☐ NO ☒ COPY TO BE MAILED? YES ☒ NO ☐

COMMENTS REGARDING INSPECTION (FOR ENTRY INTO SWIM, such as notes on photos, file locations and/or samples):

RESPONSIBLE PARTY

SIGNATURE

INSPECTION DATE

STAFF INSPECTOR

SIGNATURE

INSPECTION DATE

IV. (For internal use only)

Reviewed by Supervisor: _____ Date _____

cc: City _____ Contact _____

Program: NPDES STORM NON15-WDR 401 NPS TITLE 27 AGT DoD LNDISP PTPRG RCRA SLIC REC

Inter-office Referral: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____

Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

Photo shows some of the temporary best management practices installed by the owners to prevent the discharge of waste water from the site. This inspection occurred on a rainy day, and staff did not observe any runoff or discharges of waste water from the site.



Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

This is the same photo shown above at a closer range. The owners installed sand bags as temporary controls for runoff. According to the owners, these temporary measures will remain in place until the permanent best management practices or management measures can be installed.



Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

This photos depicts as earthen trench constructed by the owners to divert storm water and/or waste water back onto the site, and to prevent the illicit discharge of these waters from the site. Staff recommended the owners line the trench to help prevent sediment build-up, and to make this a more permanent management measure.



Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

This photo depicts one of the composting areas. The photo shows that the area is lined with asphalt, preventing infiltration of nutrients into groundwater in this area. Permanent best management practices have not yet been installed in this area due to issues with the machinery used in composting. More permanent measures will be installed once a decision is made regarding the number of detention ponds appropriate for this site.



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Ryan Armstrong

(b) (6)

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☐ Agent ☒ Addressee
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☒ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number

(Transfer from service label)

7008 0150 0003 7457 8001

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal ServiceTM RECEIPT
(Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 42
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.22

Postmark Here

Sent to

Mr. Ryan Armstrong

(b) (6)

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS; FOLD AT DOTTED LINE

CERTIFIED MAILTM



7008 0150 0003 7457 8001

7008 0150 0003 7457 8001



9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

November 21, 2008

CERTIFIED MAIL – RECEIPT REQUESTED
7008 1140 0004 9971 8252

Mr. Ryan Armstrong
Armstrong Farms
P.O. Box 2299
27431 North Lake Wohlford Road
Valley Center, CA 92082

In Reply Refer to:
GWB:ORCU:agrove

Dear Mr. Armstrong:

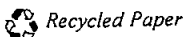
**SUBJECT: NOTICE OF VIOLATION NO. R9-2008-0149; FAILURE TO COMPLY WITH
BASIN PLAN WASTE DISCHARGE PROHIBITIONS 1, 2, 6, 7, AND 8, AND
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS NO. 3
ARMSTRONG FARMS, VALLEY CENTER, CA**

Enclosed is a copy of Notice of Violation No. R9-2008-0149 alleging that Armstrong Farms is in violation of Waste Discharge Prohibitions 1, 2, 6, 7, and 8, and Conditional Waiver No. 3, "Discharges from Animal Operations," prescribed in the *Water Quality Control Plan for the San Diego Basin (Basin Plan)*.¹ This NOV has been issued because Armstrong Farms failed to implement adequate best management practices (BMPs) specifically required by Conditional Waiver No. 3. The failure to implement BMPs led to the violation of Basin Plan Prohibitions 1, 2, 6, 7, and 8. The site conditions observed during the inspection threaten to cause a condition of pollution, contamination, and/or nuisance.

These violations subject Armstrong Farms to enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring Armstrong Farms to cleanup waste and abate existing or threatened conditions of pollution or nuisance, administrative judicial proceedings for the assessment of civil liability in amounts of up to \$1,000 per day; referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

1 Resolution No. R9-2007-0104 was issued by the California Regional Water Quality Control Board, San
 2 Diego Region as an amendment to the *Water Quality Control Plan for the San Diego Basin (9)* to Incorporate
 3 the Revised Conditional Waivers of Waste Discharge Requirements for Specific Types of Discharge within
 4 the San Diego Region. This Resolution was adopted by the San Diego Regional Water Quality Control Board
 5 on October 7, 2007. A copy of Conditional Waiver No. 3 to Resolution No. R9-2007-0104 was sent to you as
 6 an attachment by letter dated October 10, 2008.

California Environmental Protection Agency



November 21, 2008

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Questions pertaining to this matter should be directed to Ms. Amy Grove at (858) 637-7136, or via e-mail at agrove@waterboards.ca.gov; or to Mr. Bob Morris at (858) 467-2962, or via e-mail at bmorris@waterboards.ca.gov. If you feel you have received this Notice in error, or need clarification on any of the violations, please contact our office immediately. Written correspondence should be addressed to:

Ms. Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
Attn: Mr. Bob Morris and Ms. Amy Grove

Sincerely,

John A. Smith

for Julie Chan
Supervising Engineering Geologist

JC:rwm:alg

- Enclosure 1. Notice of Violation No. R9-2008-0149
 2. Inspection Report and USEPA Pamphlet for CAFO Clean Water Act Requirements

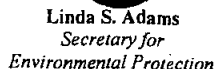
cc: Ms. Nancy Appel, Water Quality and Hazardous materials Supervisor, County of San Diego
Department of Agriculture, Weights and Measures, 5555 Overland Avenue, Suite 3101, San Diego,
CA 92123

Ms. Maureen Stapleton, General Manager, San Diego County Water Authority, 4677 Overland Avenue, San Diego, CA 92123

Mr. Clay Phillips, City Manager, City of Escondido, City Hall, Second Floor, 201 North Broadway,
Escondido, CA 92025

Mr. Ramon Hernandez, (b) (6)





San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties


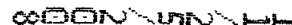
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



9174 Sky Park Court, Suite 100, San Diego, California 92123-4353

(858) 467-2952 • Fax (858) 571-6972

[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

 Recycled Paper

2. Basin Plan Prohibition (2)

The discharge of waste to land, except as authorized by waste discharge requirements or the terms described in California Water Code section 13264 is prohibited

Finding: The Site does not have adequate BMPs and/or MMs to prevent the discharge of animal waste and process water from the Site to adjacent property. Poultry manure and other waste are stockpiled and composted on the Site without adequate BMPs and/or MMs to prevent the discharges into waters of the state. These discharges are not authorized by waste discharge requirements or the terms described in Water Code section 13264.

3. Basin Plan Prohibition (3)

The discharge of pollutants or dredged or fill material to waters of the United States except as authorized by an NPDES permit or a dredged or fill material permit (subject to the exemption described in California Water Code §13376) is prohibited.

Finding: The site does not have BMPs in place to prevent storm water run-on from coming into contact with manure/composting piles which would result in a discharge of pollutants to surface waters.

4. Basin Plan Prohibition (6)

The discharge of waste in a manner causing flow, ponding, or surfacing on lands not owned or under the control of the discharger is prohibited, unless the discharge is authorized by the Regional Board.

Finding: The Site does not have adequate BMPs and/or MMs to prevent the discharge of animal waste and process water from the Site to adjacent property.

5. Basin Plan Prohibition (7)

The dumping, deposition, or discharge of waste directly into waters of the state, or adjacent to such waters in any manner which may permit its being

transported into the waters, is prohibited unless authorized by the Regional Board.

Finding: Poultry manure and other waste are stockpiled and composted on the Site without adequate BMPs and/or MMs to prevent discharges into waters of the state.

6. Basin Plan Prohibition (8)

Any discharge to a storm water conveyance system that is not composed entirely of "storm water" is prohibited unless authorized by the Regional Board. [The federal regulations, 40 CFR 122.26(b)(13), define storm water as storm water runoff, snow melt runoff, and surface runoff and drainage. 40 CFR 122.26(b)(2) defines an illicit discharge as any discharge to a storm water conveyance system that is not composed entirely of storm water except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.] [§122.26 amended a 56 FR 56553, November 5, 1991; 57 FR 11412, April 2, 1992].

Finding: The Site does not have adequate BMPs and/or MMs to prevent discharges of water used for the roof sprinkler cooling system from discharging elevated levels of nutrients and contaminants from the facility to an off-site storm water conveyance system.

B. VIOLATIONS OF BASIN PLAN CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS NO. 3 FOR DISCHARGES FROM ANIMAL OPERATIONS

The following conditions of Conditional Waiver No. 3, Dischargers from Animal Operations, are threatened to be violated by Armstrong Farms.

1. General Conditions

The general condition of the resolution states that the discharge shall not create a nuisance or pollution as defined in the Porter Cologne Water Quality Control Act (Water Code)

Finding: The Site does not have adequate BMPs and/or MMs to prevent the discharge of animal waste and process water containing elevated levels of nutrients and contaminants from the Site to waters of the State, which threatens

to cause a condition of nuisance, pollution, and/or contamination in waters of the State.

2. Condition 3.I.B.1 General Manure Management Waiver Conditions

Condition 3.I.B.1 states that animal operations must prevent the direct or indirect discharge of animal wastes (manure, urine, soil bedding) to any surface waters of the state (including ephemeral streams and vernal pools).

Finding: The Site does not have BMPs in place to prevent storm water run-on from coming into contact with manure/composting piles which would likely result in a discharge of animal wastes to surface waters.

3. Condition 3.I.B.2.c General Manure Management Waiver Conditions

Condition 3.I.B.2.c states that areas adjacent to temporary storage areas for animal wastes should be graded to prevent storm water and surface runoff from reaching the storage area.

Finding: The Site is not graded to prevent storm water from coming into contact with manure/composting piles, which would likely result in a discharge of animal wastes to surface waters.

The above violations subject Armstrong Farms to possible enforcement action by the Regional Board, including administrative enforcement orders requiring Armstrong Farms to clean up waste and abate existing or threatened conditions of pollution or nuisance, administrative judicial proceedings for the assessment of civil liability in amount of up to \$1,000 per day; referral to the State Attorney General for injunctive relief, and referral to the District Attorney for criminal prosecution.

for Julie Chan
Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board

11/21/08
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION

FACILITY INSPECTION DATA ENTRY FORM

INSPECTION DATE: 10/14/08 TIME: 9:30am WQID: _____ ORDER NO. Waiver FILE NO. _____

FACILITY REPRESENTATIVE(S) PRESENT DURING INSPECTION: Mr. Ryan Armstrong

Ryan & Alan Armstrong
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

Armstrong Farms
FACILITY OR DEVELOPER NAME (if different from owner)

(b) (6)
FACILITY STREET ADDRESS

(b) (6)

PHONE #

Same As Above
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

Valley Center, CA
FACILITY CITY AND STATE

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS (CHECK ALL THAT APPLY)

- ☐ MS4 URBAN RUNOFF REQUIREMENTS NPDES NOS. CAS0108758, CAS0108740 or CAS0108766
- ☐ CONSTRUCTION GENERAL PERMIT ORDER NO. 99-08-DWQ, NPDES NO. CAS000002
- ☐ CALTRANS GENERAL PERMIT ORDER NO. 99-06-DWQ, NPDES NO. CAS000003
- ☐ INDUSTRIAL GENERAL PERMIT ORDER NO. 97-03-DWQ, NPDES NO. CAS000001
- ☐ GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- ☒ GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- ☐ SECTION 401 WATER QUALITY CERTIFICATION
- ☐ CWC SECTION 13264

INSPECTION TYPE (Check One)

- A1 _____ "A" type compliance—Comprehensive inspection in which samples are taken. (EPA Type S)
- B1 _____ "B" type compliance—A routine nonsampling inspection. (EPA Type C)
- 02 _____ Noncompliance follow-up—Inspection made to verify correction of a previously identified violation.
- 03 _____ Enforcement follow-up—Inspection made to verify that conditions of an enforcement action are being met.
- 04 X _____ Complaint—Inspection made in response to a complaint.
- 05 _____ Pre-requirement—Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
- 06 _____ Miscellaneous — inspection type is not included on this list, may include NOT, NEC, NONA or other types
- 07 _____ Pretreatment Audit (every five years)
- 08 _____ Pretreatment Compliance (yearly except audit year)

INSPECTION FINDINGS

- Y Were violations noted during this inspection? (Yes/No/Review Sample Results)
- N Were samples taken? (N=no) If YES then, G= grab or C= Composite and attach a copy of the sample results/chain of custody form

I. COMPLIANCE HISTORY:

This site is regulated under Conditional Waiver No. 3 (Resolution No. R9-2007-0104) - Discharges from Animal Operations.

II. FINDINGS

This site is not in compliance with conditional waiver No. 3. Although staff did not observe either stormwater or process waste water leaving the site on the day of the inspection, staff did not evidence of previous discharges. The site does not have adequate

- 1) Remove roof misting runoff water to east end of facility to tank;
- 2) Berm manure beds area @ east end of facility
- 3) Berm manure beds area @ truck entry / gate area. Install curb.
- 4) Berm & implement BMPs at manure belt truck loading station
- 5) Route roof rain runoff so that commingling of waters does not occur
- 6) Consult w/ design engineer for needed modifications
- 7) Wastewater detention pond construction proposal.

This site may be subject to USEPA CAFO regulations.

COMMENTS REGARDING INSPECTION (FOR ENTRY INTO SWIM, such as notes on photos, file locations and/or samples):

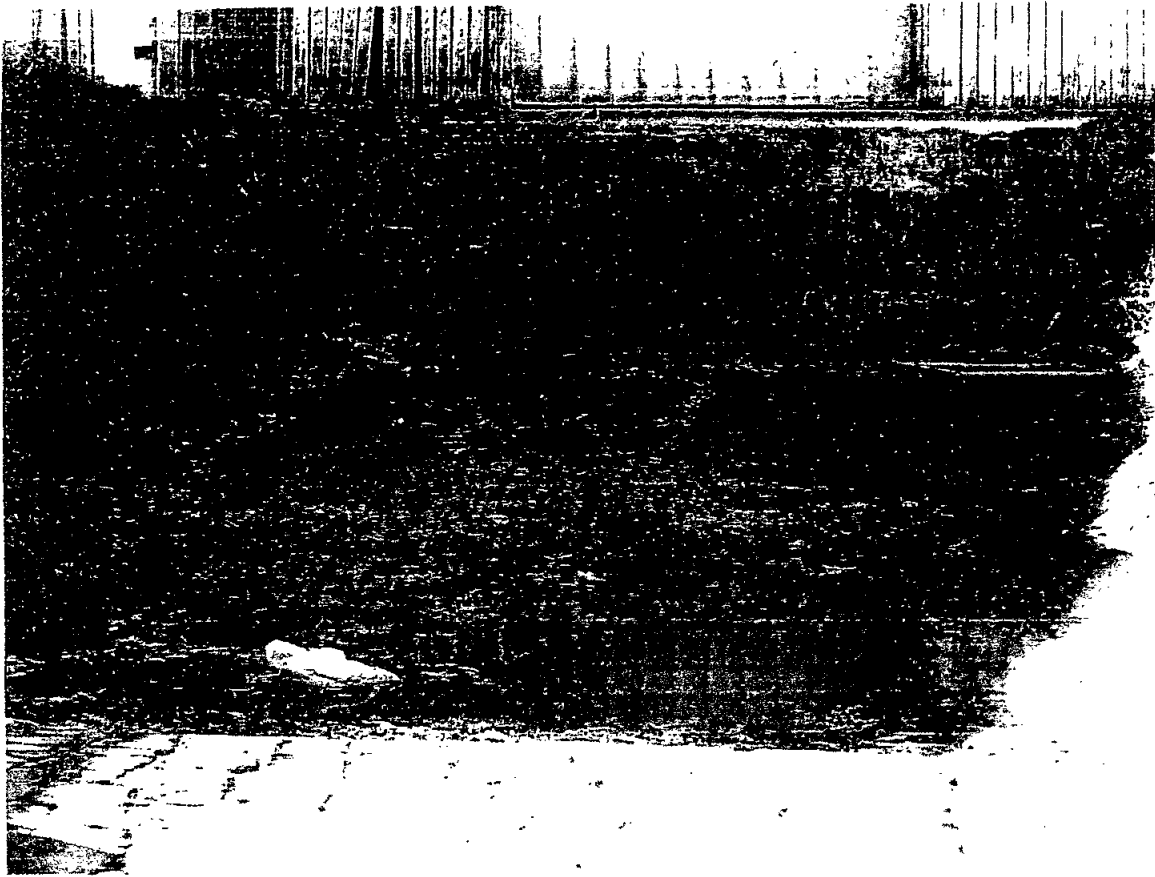
INSPECTION DATE

Inter-office Referral: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____

Armstrong Farms
Valley Center, CA

Inspection Date: October 14, 2008

This is the current overflow area for runoff from the roof sprinkler cooling system. There is a pump connected to the over flow area. When the pump is clogged or broken, overflow occurs, discharging process waste water offsite, into a storm water drain, or onto the neighbor's property.



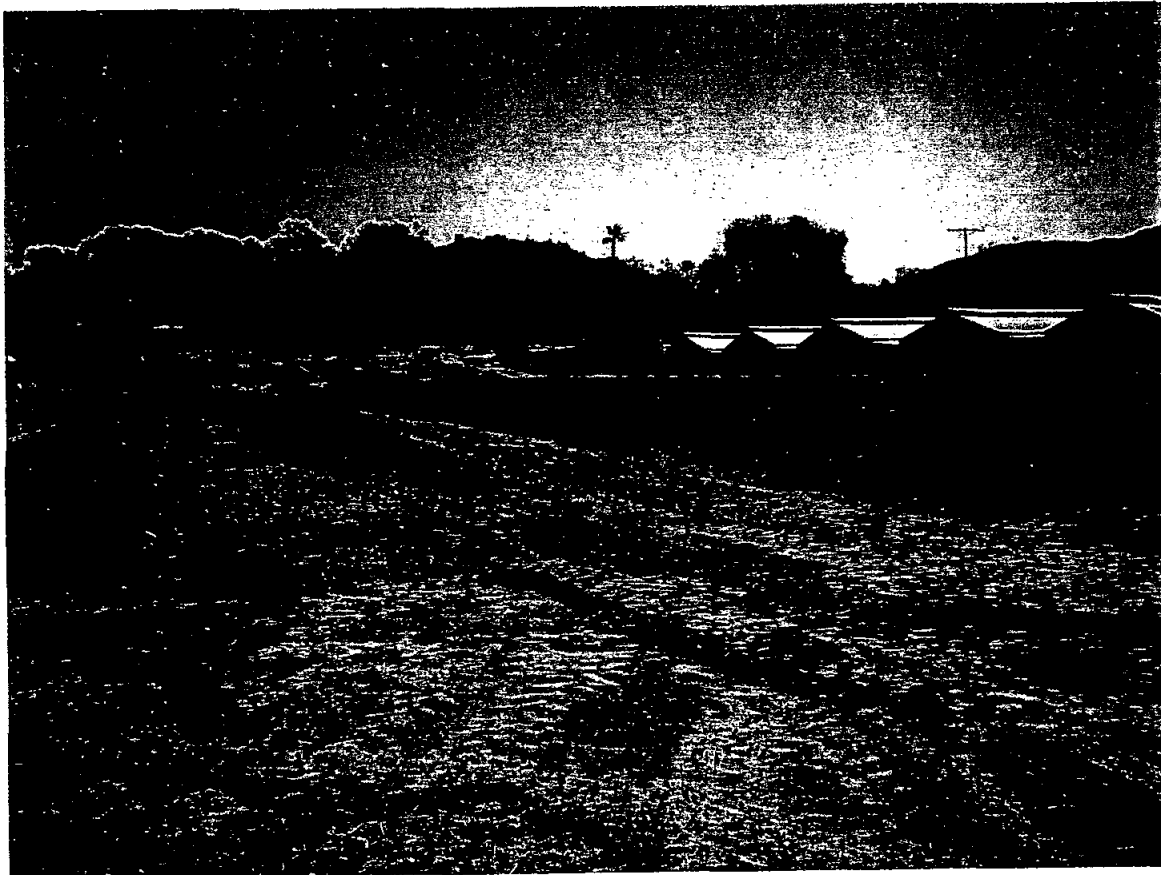
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

Photo shows manure piles onsite. There are no best management practices (BMPs) in place to prevent storm water from coming into contact with the manure piles, and to prevent that water from leaving the site.



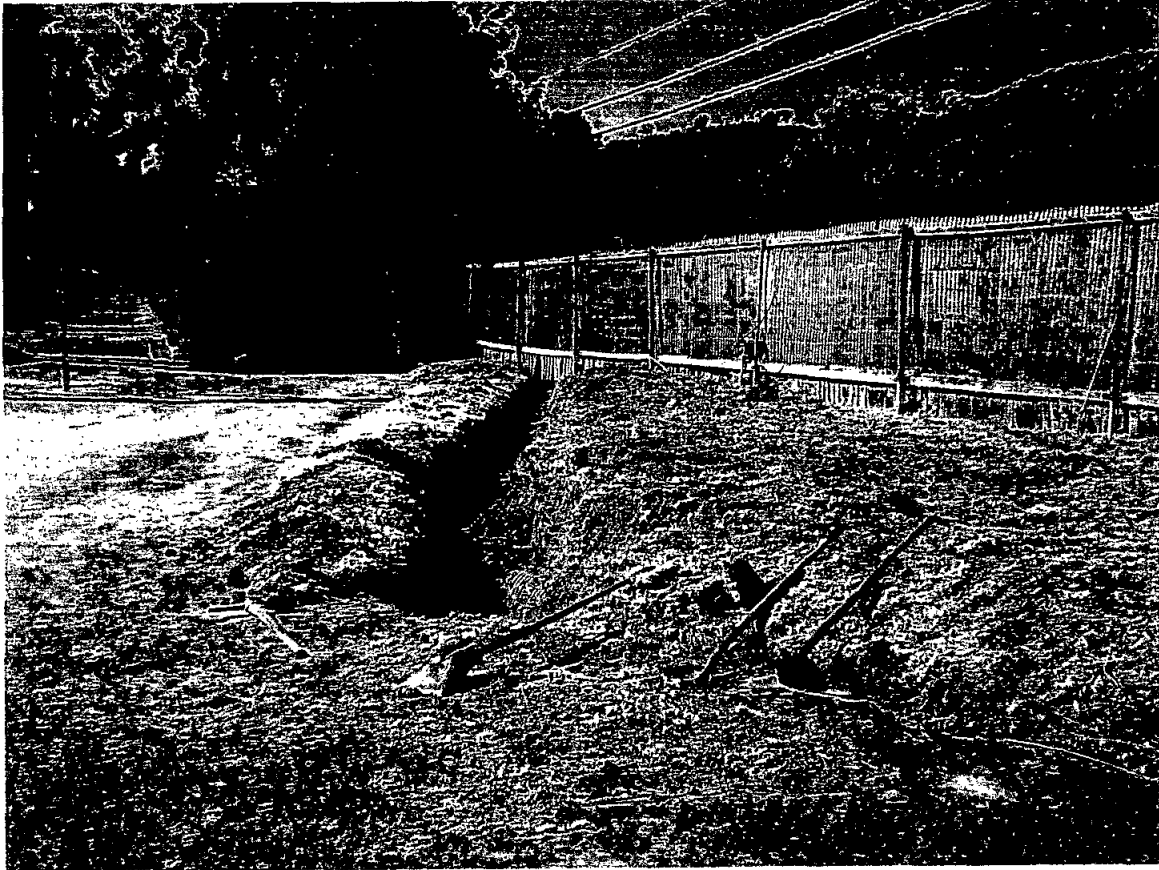
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

Manure piles near the truck gate which do not have any BMPs in place to prevent storm water from coming into contact with manure, then discharging offsite.



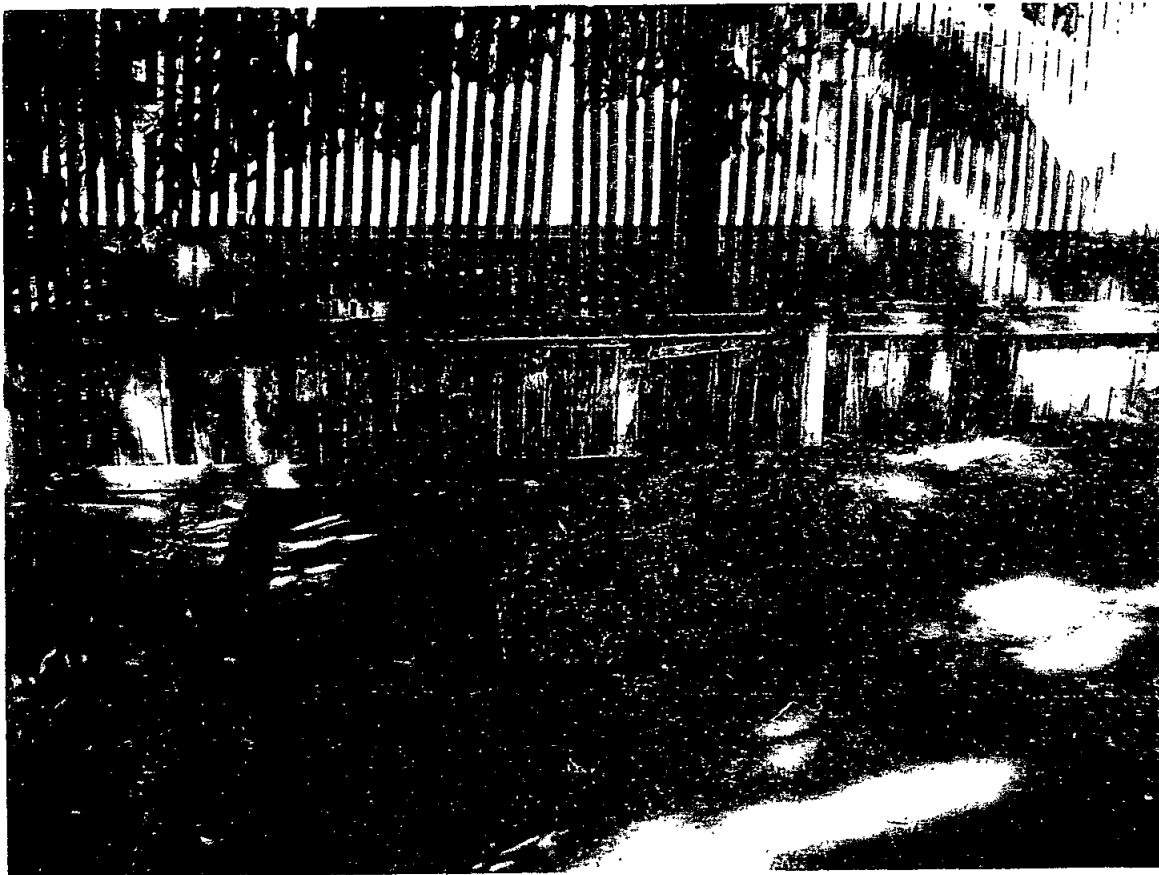
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

The picture shows a trench constructed by the owners to allow storm water to run offsite to the property boundary and beyond to the roadway easement and culvert.



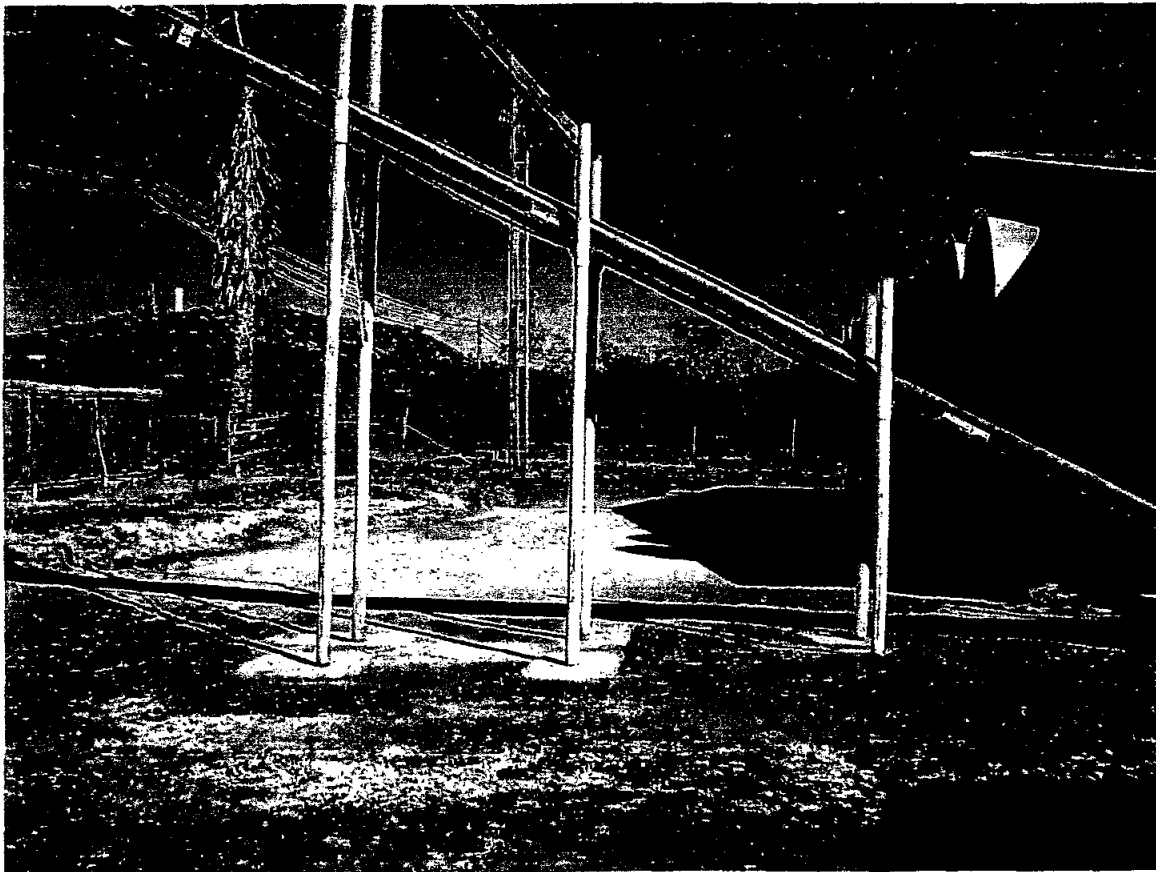
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

This is a culvert that allows storm water or process water to leave the facility and discharge to the property boundary, and beyond into the roadway easement.



Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

This is the end of the conveyor belt that moves the manure from the chicken house to a truck, which hauls it over to the manure piles twice a week. There are no best management practices in place to catch any manure that misses the truck and falls on the ground. Staff observed manure sitting on the ground in this area.





United States
Environmental Protection Agency (4203)
Washington, DC 20460

Official Business
Penalty for Private Use \$300

Concentrated Animal Feeding Operations

Clean Water Act Requirements

**What Are the Federal Requirements for
Chicken and Turkey CAFOs?**



In December 2002, EPA revised the Clean Water Act regulation for Concentrated Animal Feeding Operations, or CAFOs. If you own or operate a chicken or turkey CAFO, you must apply for a permit. This pamphlet gives general information about what your permitting authority might require in your CAFO's permit.

Information Series Pamphlet

Other Pamphlets in EPA's CAFO Clean Water Act Requirements Information Series

Will My Operation Be Regulated?
EPA 833-F-02-006

What Are the Federal Requirements for Swine CAFOs?
EPA 833-F-02-007

What Are the Federal Requirements for Dairy Cow and Heifer CAFOs?
EPA 833-F-02-009

What Are the Federal Requirements for Beef Cattle and Veal Calf CAFOs?
EPA 833-F-02-0010

What Are the Federal Requirements for Horse and Sheep CAFOs?
EPA 833-F-02-0011

What Are the Federal Requirements for Duck CAFOs?
EPA 833-F-02-0012

What Are the Federal Record-Keeping and Reporting Requirements?
EPA 833-F-02-0013

How do I contact my permitting authority?
Visit www.epa.gov/npdes/afo/statecontacts for contact information on your permitting authority.

Where can I get copies of these brochures and more information?

Call the Office of Water Resource Center,

(202) 566-1729 to request copies of these pamphlets and other documents. Call the CAFO Phone Line at

(202) 564-0766 with questions or visit the following EPA or USDA web sites.

EPA:

www.epa.gov/npdes/calorule

www.epa.gov/agriculture

USDA:

www.usda.gov

Photos courtesy of USDA and USEPA OECA

EPA 833-F-02-008
December 2002

Is my chicken or turkey operation a CAFO?

Your operation is a CAFO if it is an animal feeding operation (AFO) and it meets one of the following conditions

See the pamphlet *Will My Operation Be Regulated?* for the definition of an AFO.

Large CAFOs

Your chicken or turkey AFO is a Large CAFO if it has at least

- ✓ 55,000 turkeys
- ✓ 30,000 chickens (liquid manure handling systems)
- ✓ 82,000 laying hens (other than liquid manure handling systems)
- ✓ 125,000 chickens except laying hens (other than liquid manure handling systems)

Medium CAFOs

Your chicken or turkey AFO is a Medium CAFO if it has at least

- ✓ 16,500 turkeys
- ✓ 9,000 chickens (liquid manure handling systems)
- ✓ 25,000 laying hens (other than liquid manure handling systems)
- ✓ 37,500 chickens except laying hens (other than liquid manure handling systems)

and

- ✓ a man-made ditch or pipe carries manure or wastewater from your operation *or*
- ✓ your animals come into contact with surface water running through the area where they're confined

Designated CAFOs

No matter what size your operation is, if it is an AFO, it can be designated a CAFO. If your permitting authority inspects your operation and finds that it's adding pollutants to surface waters, your operation might need a CAFO permit.

My operation is a CAFO. What do I have to do?

You must apply to your permitting authority for a permit. Most states have the authority to manage CAFO programs and issue permits. State CAFO programs are based on the revised national CAFO regulation. You can use this pamphlet to help you learn about the *minimum* requirements for a permit. You should contact your permitting authority to find out what your state-specific requirements are and how to apply for a permit. Check the insert to this pamphlet for your permitting authority's contact information.

What will my operation's permit require?

Your CAFO permit will require you to meet certain conditions for your production and land application areas. The specific requirements of your permit will depend on whether your operation is a Large, Medium, or designated CAFO.

The *production area* is the area where your animals are housed and manure is stored.

Requirements for all chicken or turkey CAFOs

You can expect your permit to require you to

- ✓ Implement a nutrient management plan
- ✓ Submit annual reports to your permitting authority
- ✓ Keep your permit current until you completely close your operation and remove all manure
- ✓ Keep records of your nutrient management practices for at least 5 years (See the pamphlet *What Are the Federal Record-Keeping and Reporting Requirements?*)

Nutrient management plans for all chicken and turkey CAFOs must include provisions for

- ✓ Assuring adequate manure storage capacity
- ✓ Proper handling of dead animals and chemicals
- ✓ Diverting clean water from the production area
- ✓ Keeping animals out of surface water
- ✓ Using site-specific conservation practices
- ✓ Developing ways to test manure and soil
- ✓ Assuring appropriate use of nutrients when you spread manure
- ✓ Keeping records of your nutrient management practices

The *land application area* includes all the land under your control where you spread manure.

Your permitting authority might set more requirements for any size CAFO.

Requirements for medium and designated chicken or turkey CAFOs

Your permitting authority might set more requirements for your nutrient management plan. These requirements will depend on the permit writer's best professional judgment and could be like the requirements for Large chicken or turkey CAFOs.

Requirements for large chicken or turkey CAFOs

Nutrient management plans for Large chicken and turkey CAFOs have more requirements for production and land application areas.

Production area

- ✓ Design your production area to contain all of your CAFO's manure plus the runoff from a 25-year, 24-hour rainfall event (large storms). (Overflows from large storms are allowed only if your operation is designed and operated to meet these specifications.)

New Large chicken CAFOs

- ✓ Must design your production area to completely contain all manure *plus* the runoff from all storm events, *or* to contain manure and runoff from a very large storm. (Overflows are allowed if your operation is designed and operated to meet these specifications.)
- ✓ Install depth markers in liquid manure storage structures
- ✓ Inspect your production area weekly and all water lines daily
- ✓ Correct any problems you find as soon as possible
- ✓ Properly handle dead animals

Land application area

- ✓ Apply manure at rates that meet your permitting authority's standards
- ✓ Analyze manure for nutrient content at least once a year
- ✓ Analyze the soil from your land application fields for phosphorus amounts every 5 years
- ✓ Avoid applying manure to any land within 100 feet of surface water
- ✓ From time to time, inspect your land application equipment for leaks

Some Large chicken CAFOs may qualify for equivalent discharge allowances. If you use *innovative technologies*, like treating wastewater in your production area, ask your permitting authority about your options.

Transferring manure to other persons

- ✓ Keep records for at least 5 years on the date, recipient, amount, and nutrient content of the manure you transferred
- ✓ Information about the nutrient content of your manure must be given to the recipient

**Concentrated Animal Feeding Operations
Permitting Authority Contacts**

North Dakota

North Dakota Department of Health
(701) 328-5210

Ohio

Cathy Alexander
Ohio Environmental Protection Agency
(614) 644-2021

Oklahoma

USEPA Region 6
Kenneth Huffman
(214) 665-7504

Oregon

Oregon Department of Environmental
Quality
(503) 229-6490

Pacific Islands

(American Samoa, Guam, Northern Mariana Islands,
and unincorporated U.S. Pacific Possessions)
USEPA Region 9
John Ungvarsky
(415) 972-3963

Pennsylvania

Cedric Karper
Pennsylvania Department of
Environmental Protection
(717) 783-7577

Puerto Rico

USEPA Region 2
Andrea Coats
(212) 637-3850

Rhode Island

Eric Beck
Rhode Island Department of
Environmental Management
(401) 222-4700

South Carolina

Marion Sadler
South Carolina Department of Health &
Environmental Control
(803) 898-4167

South Dakota

South Dakota Department of
Environmental and Natural Resources
(605) 773-3351

Tennessee

Saya Qualls
Tennessee Department of Environment
& Conservation
(615) 532-0633

Texas

Darrell Williams
Texas Commission on Environmental
Quality
(512) 239-4480

Utah

Utah Department of Environmental
Quality
(801) 538-6146

Vermont

Brian Kooiker
Vermont Department of Environmental
Conservation
(802) 241-2596

Virgin Islands

USEPA Region 2
Andrea Coats
(212) 637-3850

Virginia

Martin Ferguson
Virginia Department of Environmental
Quality
(804) 698-4039

Washington

Washington Department of Ecology
(360) 407-6405

West Virginia

William Brannon
West Virginia Department of
Environmental Protection
(304) 558-2107

Wisconsin

Russ Rasmussen
Wisconsin Department of Natural
Resources
(608) 267-7651

Wyoming

Wyoming Department of Environmental
Quality
(307) 777-7781

Tribal Permitting Authorities

USEPA Region 1

(MA, NH, VT, RI, CT, ME)
Bruce Rosinoff
(617) 918-1698

USEPA Region 2

(NY, NJ, PR, VI)
Andrea Coats
(212) 637-3850

USEPA Region 3

(MD, DE, PA, VA, WV)
Hank Zygmunt
(215) 814-5750

USEPA Region 4

(NC, SC, GA, AL, FL, TN, KY, MS)
Sam Sampath
(404) 562-9229

USEPA Region 5

(IN, IL, MN, WI, OH)
John Colletti
(312) 886-6106

USEPA Region 6

(TX, AR, LA, NM, OK)
Kenneth Huffman
(214) 665-7504

USEPA Region 7

(IA, NE, MO, KS)
Ralph Summers
(913) 551-7418

USEPA Region 8

(CO, MT, WY, UT, ND, SD)
Debra Thomas
(303) 312-6373

USEPA Region 9

(CA, AZ, HI, Pacific Islands)
John Ungvarsky
(415) 972-3963

USEPA Region 10

(AK, OR, WA, ID)
Public Information Center
(800) 424-4372

This list is current as of December 15, 2002. The contact information listed here is subject to change.

A continuously updated list of CAFO Permitting Authority contacts can be found at <http://www.epa.gov/npdcs/cafo/statecontacts>.

**Concentrated Animal Feeding Operations
Permitting Authority Contacts**

Alabama

Richard Hulcher
Alabama Department of Environmental
Management
(334) 394-4326

Alaska

U.S. EPA Region 10
Public Information Center
(800) 424-4372

Arizona

Arizona Department of Environmental
Quality
(602) 771-4469

Arkansas

Mo Shafii
Arkansas Department of Environmental
Quality
(501) 682-0616

California

State Water Resources Control Board
(916) 341-5587

Colorado

Colorado Department of Public Health
and Environment
(303) 692-3500

Connecticut

Joseph Wetteman
Connecticut Department of
Environmental Protection
(806) 424-3803

Delaware

Kevin Donnelly
Delaware Department of Natural
Resources and Environmental Control
(302) 739-4860

Florida

Vince Seibold
Florida Department of Environmental
Protection
(850) 921-9387

Georgia

Tom Hopkins
Georgia Department of Natural Resources
(404) 362-4916

Hawaii

Hawaii Department of Health
(808) 586-4309

Idaho

U.S. EPA Region 10
Public Information Center
(800) 424-4372

Illinois

Bruce Yurdin
Illinois Environmental Protection Agency
(217) 782-3362

Indiana

Steven Roush
Indiana Department of Environmental
Management
(317) 232-8706

Iowa

Iowa Department of Natural Resources
(515) 281-8693

Kansas

Kansas Department of Health &
Environment
(785) 296-6432

Kentucky

Bruce Scott
Kentucky Department for Environmental
Protection
(502) 564-3410

Louisiana

Tom Killeen
Louisiana Department of Environmental
Quality
(225) 765-0100

Maine

Gregg Wood
Maine Department of Environmental
Protection
(207) 287-7693

Maryland

Robert Summers
Maryland Department of the Environment
(410) 631-3567

Massachusetts

Bruce Rosinoff
USEPA Region 1
(617) 918-1698

Michigan

Ronda Wuycheck
Michigan Department of Environmental
Quality
(517) 241-7832

Minnesota

Wayne Anderson
Minnesota Pollution Control
Agency/Regional Environmental
Management Division
(651) 296-7323

Mississippi

Bryan Collins
Mississippi Department of
Environmental Quality
(601) 961-5239

Missouri

Missouri Department of Natural
Resources
(573) 751-1300

Montana

Montana Department of Environmental
Quality
(406) 444-3080

Nebraska

Nebraska Department of Environmental
Quality
(402) 471-4239

Nevada

Nevada Division of Environmental
Protection
(775) 687-9423

New Hampshire

Brian Pitt
USEPA Region 1
(617) 918-1875

New Jersey

Bruce Friedman
New Jersey Department of
Environmental Protection
(609) 633-7021

New Mexico

USEPA Region 6
Kenneth Huffman
(214) 665-7504

New York

Joe Dimura
New York Department of
Environmental Conservation
(518) 402-8111

North Carolina

Dennis Ramsey
North Carolina Department of
Environment, Health, & Natural
Resources
(919) 733-5083 x528

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAILTM



7008 1140 0004 9971 8252
7008 1140 0004 9971 8252
7008 1140 0004 9971 8252

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.34
Certified Fee	2.65
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.14

Postmark
Here

Sent To Ryan Armstrong
Street, Apt. No.,
or PO Box No. (b) (6)
City, State, ZIP+4[®] (b) (6)

PS Form 3800, August 2005

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ryan Armstrong
(b) (6)

(b)(5) DELIBERATIVE

[Redacted Address Block]

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

7008 1140 0004 9971 8252


PS Form 3811, February 2004

Domestic Return Receipt


102595-02-M-1540

California Regional Water Quality Control Board

San Diego Region


Linda S. Adams
Secretary for
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA


Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

October 10, 2008

CERTIFIED MAIL

7006 2760 0000 1615 7493

Ms. Jessica Culpepper
Mr. Peter Brandt
The Humane Society of the United States
2100 L. Street NW
Washington, DC 20037

In reply refer to:
GWB:ORCU:agrove

Dear Ms. Culpepper and Mr. Brandt:

**SUBJECT: ENVIRONMENTAL COMPLAINT AND PETITION FOR ENFORCEMENT
AGAINST ARMSTRONG FARMS, 27023 N. LAKE WOHLFORD ROAD,
VALLEY CENTER, CA**

The California Regional Water Quality Control Board, San Diego Region (Regional Board) received the above-referenced, undated complaint and request for an investigation on October 7, 2008, regarding Armstrong Farms, located in Valley Center, CA. The complaint alleges that Armstrong Farms is illegally discharging waste water directly into two storm drains, and onto the land of its neighbor. The Humane Society of the United States has requested that the Regional Board initiate an investigation, consider imposing an administrative civil liability against Armstrong Farms for the alleged violations, and issue a cleanup and abatement order for wellhead treatment for the water supply well on the neighboring property owned by Mr. Ramon Hernandez. A copy of the complaint is enclosed for the benefit of the persons or agencies carbon copied on this letter, who may not have received it previously.

Armstrong Farms is required to comply with Resolution No. R9-2007-0104, Conditional Waiver No. 3, "Discharges from Animal Operations" (enclosed). Conditional Waiver No. 3 requires owners and operators of animal facilities to implement management measures and/or best management practices to prevent the discharge of pollutants, and for the protection of surface and groundwater quality and beneficial uses.

The Regional Board has contacted the Armstrong Farms owner, Mr. Alan Armstrong, to inform him of the complaint and to request a copy of the most recent waste management plan for the facility. The Regional Board is reviewing your complaint and will conduct an investigation and site inspection to assess the adequacy of the waste management measures being implemented at Armstrong Farms to protect surface water and groundwater quality. The site inspection is tentatively scheduled for the week of October 13, 2008 and will be conducted jointly with the County of San Diego

California Environmental Protection Agency

Ms. Jessica Culpepper
Mr. Peter Brandt
Armstrong Farm Complaint

- 2 -

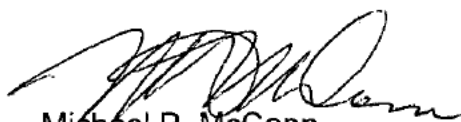
October 10, 2008

Department of Agriculture, Weights and Measures. Upon completion of the investigation, the Regional Board will provide you with a summary of findings and identify further actions that the Regional Board may take regarding this matter.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions pertaining to this matter, please contact Ms. Amy Grove at (858) 637-7136, or via e-mail at agrove@waterboards.ca.gov; or Mr. Bob Morris at (858) 467-2962, or via e-mail at bmorris@waterboards.ca.gov.

Sincerely,



Michael P. McCann
Assistant Executive Officer

MPM:rwm:alg

Enclosure 1. Environmental Complaint and Petition for Enforcement Against Armstrong Farms

Enclosure 2. Conditional Waiver No. 3, Discharges from Animal Operations

cc: Mr. Ramon Hernandez, (b) (6)

Mr. Alan Armstrong, (b) (6)

Mr. Clay Phillips, City Manager, City of Escondido, City Hall, Second Floor, 201 North Broadway, Escondido, CA 92025

Ms. Maureen Stapleton, General Manager, San Diego County Water Authority, 4677 Overland Avenue, San Diego, CA 92123

Ms. Nancy Appel, Water Quality and Hazardous Materials Supervisor, County of San Diego Department of Agriculture, Weights and Measures, 5555 Overland Ave, Suite 3101, San Diego, CA 92123

California Environmental Protection Agency

2030 OCT -7 A 9:57

Attorneys for Petitioners

safety of the community. As discussed fully below, Armstrong's discharges in this manner violate San Diego County Code of Regulatory Ordinance Sections 67.804, 67.807, and 67.813 (hereinafter "Ordinance"), local storm water manual regulations, as well as the Porter-Cologne Water Quality Control Act. Water Code §§ 13260(a)(1); 13304(a). These violations will continue absent swift and decisive enforcement actions. Further, AWM is not taking meaningful action to stop these illegal discharges and the San Diego Regional Water Quality Control Board has the authority and obligation to take direct enforcement action against Armstrong to ensure compliance with state and local law. Water Code § 13323. While Mr. Hernandez has been complaining to AWM for years about repeated discharges of putrid grey water flooding his land and endangering his prize horses, rarely does that department respond to his phone calls. When responses occur, AWM merely inspects the property and issues the exact same citations without any effective enforcement. Rather than deny these problems or attempt to fix them, Armstrong co-owner and operator Alan Armstrong has admitted to the unlawful discharges and unlawful connections to the County of San Diego storm water conveyance system and has acknowledged that these discharges and connections are "wrong," but Armstrong simply continues the same illegal practices. Attachment, AWM Inspection Number 1402 0469, April 23, 2007 (hereinafter "Attach. Insp. No.")

The HSUS respectfully requests that the Compliance Assurance Unit initiate an investigation under California Water Code section 13267 to ensure the safety of Mr. Hernandez's well, other neighbors, water supplies, local groundwater supplies, and the integrity of San Diego County municipal water systems. If appropriate, The HSUS respectfully requests that the Compliance Assurance Unit initiate administrative action against Armstrong Egg Farms to ensure that these discharges are finally contained.

Background

In 2007, there were over 19 million laying hens in California producing more than 760,000 tons of manure per year, or more than 4 million pounds of manure per day.¹ Manure handling methods for the egg industry are not well-standardized and can range extensively. In some cases, such as at Armstrong, manure is allowed to simply pile up on the ground for months on end where it is at risk of being spread onto local land and into water systems. Because laying hens ("layers") produce approximately 2500 pounds of manure per 10,000 hens per day, these manure piles can quickly become serious hazards to environmental and human health. This is especially true at facilities such as Armstrong, which confines tens of thousands of birds at a single site.

Wastewater discharges from poultry facilities can pose significant threats to public, animal, and environmental health. Animal manure has been found to be the source of more than 100 human pathogens.² Water that comes into contact with poultry can spread the avian influenza virus ("avian flu"). Indeed avian flu is spread primarily through poultry feces, which can contain 10 infectious doses per gram,³ and the virus can survive in surface water for months,⁴ which means that contaminated water can potentially infect other animals and humans long after it has left the facility.⁵ This can create both human and

¹ USDA, Agricultural Statistics Board, Chickens and Eggs 2007 Summary 2 (Feb 2008). Manure criteria adopted from University of California Cooperative Extension, Poultry Fact Sheet 1 (May 1990).

² Walton JR and White EG, eds. 1981. Communicable Diseases Resulting from Storage, Handling, Transport and Land spreading of Manure. Luxembourg: Office for Official Publications of the European Communities.

³ Sabaté M, Prats G, Moreno E, Ballesté E, Blanch AR, and Andreu A. 2008. Virulence and antimicrobial resistance profiles among *Escherichia coli* strains isolated from human and animal wastewater. *Research in Microbiology* 159(4):288-93.

⁴ Stallknecht DE, Kearney MT, Shane SM, and Zwank PJ. 1990. Effects of pH, temperature, and salinity on persistence of avian influenza viruses in water. *Avian Diseases* 34(2):412-8.

⁵ Darrell W. Trampel Iowa State University, Manure Disposal Following an Outbreak of Avian Influenza on a Commercial Poultry Farm (2006), available at <http://www.extension.iastate.edu/pages/communications/epc/Su06/disposal.html>. Accessed

endangering area wildlife and sensitive plant species. Improperly managed poultry manure can also create odor problems and attract insects, rodents, and other pests.¹⁶ These and other dangers support heavy regulation of poultry wastewater discharges and are ample cause to ensure that discharges are reported and eliminated.

Armstrong Egg Ranch

Nancy, Alan, and Ryan Armstrong own and operate Armstrong Egg Farms, a number of facilities that raise and confine layer hens for the purpose of egg production. Armstrong Egg Farms has four facilities that contain approximately 660,000 layer hens, most of whom (600,000) are confined in small, barren wire cages.¹⁷ Armstrong Water Quality Report 2008. This environmental complaint applies to the facility located on 40 acres at 27023 N. Lake Wohlford Road, Valley Center, California 92082 in the lower San Luis Rey watershed, hydrologic sub-unit 903.15 (hereinafter, "Armstrong" refers only to this facility). AWM designated the facility as a High Priority Commercial Facility and it is thereby subject to additional Best Management Practices (BMPs). Ordinance § 67.809. Attach., Insp. No.1402 0870, July 11, 2007.

Armstrong implements a dangerous combination of management techniques which result in regular—often daily—discharges of contaminated water. Both the northern and southern portions of the property discharge cooling water into storm water conveyances and neighboring properties. Attach., Insp. No. 1402 0625, September 5, 2007.

Environmental Science and Health A27(4):1083-93.

¹⁶ Yetilmezsoy K and Sakar S. 2008. Improvement of COD and color removal from UASB treated poultry manure wastewater using Fenton's oxidation. Journal of Hazardous Materials 151(2-3):547-58.

¹⁷ Ryan Armstrong, September 24, 2008 U.C. Berkeley Undergraduate Colloquium on Political Science, podcast at 45:53 available at http://webcast.berkeley.edu/course_details_new.php?seriesid=2008-D-71765&semesterid=2008-D. (accessed Oct. 5, 2008)

First, the southern portion of the facility allows chicken manure to fall directly onto the ground in large quantities which are only removed twice annually. *Id.* These piles of chicken manure are open to all sources of precipitation. Second, Armstrong uses a roof sprinkler system on all of the hen houses as a cooling system. Alan Armstrong has admitted that the sprinkler system "run[s] everyday in the summer and periodically throughout the rest of the year." *Id.* When the cooling water falls off the southern hen houses it comes into direct contact with the large piles of chicken manure. Insp. No. 1402 0625. These practices have resulted in an almost continuous violation of San Diego County ordinances and the California Water Code spanning back as far back as 2004. Attach., Insp. No. 1402 0469, April 23, 2007; *see also* Water Code §§ 13260(a)(1); 13304(a).

Parties

Ramon Hernandez owns a horse ranch at 27431 North Lake Wohlford Road, Valley Center, California 92082. Mr. Hernandez's land is the closest parcel west of Armstrong and it is routinely flooded by unlawful discharges from Armstrong's facility. Mr. Hernandez raises prize Holsteiner horses, who are famous for their dressage and jumping abilities. Because Mr. Hernandez continuously has foals on the property, who are particularly sensitive to illness, he and his horse caretakers have to expend undue amounts of energy to ensure that the horses do not come into contact with this manure-laden water. Further, Mr. Hernandez is very concerned about the integrity of his well water, which is the sole water source on the property. The contaminated water flows from the Armstrong facility directly toward the well on Mr. Hernandez's property. If that water were to become dangerously contaminated, it could sicken or even kill his horses. Finally, Mr. Hernandez must deal with the noxious odors from the contaminated water flooding his property and high numbers of flies caused by the manure. Mr. Hernandez has owned his property and kept

discharges, Armstrong has built a pipe to discharge this contaminated water into the County storm water system and also knowingly lets it drain onto its neighbor's properties. Thus Ryan and Alan Armstrong—those responsible for operating the facility—knowingly and willfully allow discharges on a near-daily basis and indeed Armstrong has even constructed connections to facilitate these unlawful discharges.

Further, according to AWM inspections, Armstrong has also violated Cease and Desist Orders. Specifically, Armstrong:

(1) failed to eliminate unauthorized discharges at the site as required by Ordinance § 67.804(a) in violation of the Notice of Violation and Cease and Desist Order of July 11, 2007 for at least between July 11, 2007, and July 28, 2008 (Attach A, Cease and Desist Order, July 11, 2007);

(2) failed to eliminate unauthorized connections at the site as required by Ordinance § 67.804(b) in violation of the Notice of Violation and Cease and Desist Order of July 11, 2007 for at between July 11, 2007, and July 28, 2008 (*id.*); and

(3) failed to implement and maintain adequate BMPs at the site as required by Ordinance §§ 67.807 and 67.813 in violation of the Administrative Citation and Cease and Desist Order No. 7B07-08 for at least between September 5, 2007, and July 28, 2008. (Attach A, Cease and Desist Order 7B07-08, Sept. 10, 2007).

Relief Requested

The owner/operators of Armstrong are aware of the serious problems at their facility yet they take no action to resolve them other than offering empty promises. Armstrong has already received two formal cease and desist notices from AMW which have not resolved the non-compliances. Armstrong's discharges of waste water onto Mr. Hernandez's and neighboring properties could contaminate local groundwater. On July 11, 2007, Armstrong

Sincerely,

Jessica Culpepper

Peter Brandt

2000 OCT -7 A 9:57

ENVIRONMENTAL COMPLAINT AND PETITION FOR ENFORCEMENT AGAINST ARMSTRONG FARMS

AW14SW 1402 (09/03)

WEBSITE: WWW.SDCAWM.ORG

IF REINSPECTION* ORIG INSPECTION NO

BMP REQUIREMENTS AND STANDARDS FOR ALL

OFFICE USE

STORMWATER ORDINANCE

DISCHARGES ELIMINATED

DOCUMENTS PROVIDED:

INSPECTION COSTS:

INSPECTION HOURS

NON-COMPLIANCES ☐ YES ☒ NO

TOTAL 00

The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by:

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection. 7/11/75 - 15

PLEASE CALL: (850)

~~INSPECTOR~~

INS. ...ION ACKNOWLEDGED BY:

Distribution: White - County

Canary - Firm/Person Inspected

Pink - Inspector

8724445318

REVISÉD 06/01/2005

CONFIDENTIAL



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW

Business Name: Armstrong Egg Ranch		Inspection Number:		Contact Person: Alan Armstrong	
Site Address: (b) (6)				Phone: (b) (6)	
City: Ramona	Zip: 92065	HSU # 907.23	Annual Inspection <input type="checkbox"/>	Date: 4/12/05	
			Complaint <input checked="" type="checkbox"/>		

ADDITIONAL REMARKS:

On April 12, 2005 I David Fritz Senior Inspector, of the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program, investigated a complaint referral from a constituent at Armstrong Egg Ranch at 2411 San Vicente Rd, Ramona regarding contaminated runoff from a chicken manure storage area.

On April 2, 2005 I received an email from Supervising Ag/Standards Inspector Paul Davy regarding a complaint from a constituent alleging a pile of manure that drains to the road and creek when it rains from an egg ranch in Ramona located on the 2400 block of San Vicente Rd just south of Wamock. On April 12, 2005 I visited the ranch at 2411 San Vicente Rd, Ramona. I observed a large pile of chicken manure stored at the front of the property adjacent to San Vicente Rd. Water was flowing out of the ground and through the manure pile from an unknown source south of the ranch. Water was collecting north of the manure and a small flow was draining across a dirt entrance road to the farm and draining into a weeded area. I saw no runoff entering the street or a conveyance.

I found a worker at the site and asked him who owned the ranch. The worker gave me a business card indicating the property to be owned by Armstrong Egg Ranch and owned by Alan Armstrong. I drove around the property and found two additional areas behind the ranch where manure was being stored. The two additional storage areas appeared to pose no threat of runoff or discharge to a conveyance.

I called the constituent who called in the complaint and informed him of the situation. They thanked me and said no further contact would be necessary unless I required additional information from them.

On April 12, 2005 I called Alan Armstrong and told him of the complaint and the contaminated runoff concerns I had. I recommended the manure be moved from the road to a more suitable place in back with the other manure piles. Alan told me he would have his worker move the pile that day. Alan also told me he was closing down that site and would begin chicken killing on April 19, 2005. Alan assured me the manure would be gone quickly and the manure piles removed.

I will follow up with at drive by after April 19, 2005 to verify the removal of the manure.

*was it leaving
the property?*

I HAVE READ AND UNDERSTAND THE ADDITIONAL REMARKS LISTED ABOVE		INSPECTOR DAVID FRITZ		BADGE # 43	
INSPECTION ACKNOWLEDGED BY (PRINT)		TITLE		SIGNATURE	
				DATE	

0000000000

COUNTY OF SAN DIEGO
WATER QUALITY
COMPLIANCE INSPECTION
AWMSW 1402 (09/03)
WEBSITE: WWW.SDCAWM.ORG

INSPECTION TYPE
☐ ANNUAL ☐ REFEERAL
☐ REINSPECTION ☒ COMPLAINT

1402 0469

NURSERY / GREENHOUSE / CAFO
DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

OFFICE USE ONLY

BUSINESS NAME: ARMSTRONG, E.E.G. RANCH

BUSINESS MAILING ADDRESS: (b) (6)

PROPERTY LOCATION: 27023 NORTH LAKE WOHLFORD RD VALLEY CENTER 92082

STORMWATER REGISTRATION: 37SWN0N

PERMIT/OP ID NUMBER: NONE

NURSERY LICENSE NUMBER: NONE

HYDRO SUB-UNIT: 903.15

BMP STANDARDS		Section	Compliance	Section	Compliance
1. Removal of Eroded Soils from Disturbed Slopes	B.2.2.1			37. Maintenance / Repair Area Drains Protected	C.3.2.2.a
2. Illegal Discharge Practices Eliminated	B.2.4.1			38. Maintenance / Repair Spill Precautions	C.3.2.2.b
3. Slopes >250 sq ft Protected from Erosion	B.2.5.1			39. Retired Vehicle Fluids Drained	C.3.2.2.d
4. Materials / Waste Storage	B.2.6.1			40. Maintenance / Repair Area Dry Cleaning	C.3.2.2.e
5. No Rinsate to Conveyance / Receiving Waters	B.2.7.1			41. Maintenance / Repair Drip Pans	C.3.2.2.f
6. Annual Training Provided	C.2.4.2			42. Wash Area Precautions	C.3.2.3.a
7. Annual Training Documented	C.2.4.2			43. Wash Area Drain Pumped to Sewer	C.3.2.3.b
8. Annual Review of Facilities and Training	C.2.4.1			44. Wash Water Infiltration	C.3.2.3.c
9. Pollution Prevention Practices Implemented	C.2.1.1			45. Wash Water Contained for Treatment	C.3.2.3.d
10. Hazmat & Waste: Storage/Manage/Disposal	C.2.6.1.a			46. Stored Equipment Bermed and Covered	C.3.2.4.b
11. Hazardous Materials Storage Practices	C.2.6.1.b			47. Arc Spot Downspout Routing	C.3.3.1.b
12. Drums & Containers: Good Condition / Closed	C.2.6.1.c			48. Parking Area Trash Cans Provided	C.3.3.2.a
13. Hazmat Storage Spill Kit	C.2.6.1.d			49. Parking Area Vehicle Storage	C.3.3.2.b
14. Wash Area Clean & Free of Debris	C.3.2.2.a			50. Parking Area Leaks and Spills Cleaned	C.3.3.2.c
15. Pumps/Spills Closed and Maintained	C.3.2.2.b			51. Parking Area Stored Materials Bermed	C.3.3.2.d
16. Loading / Unloading Area Spills / Leaks	C.2.6.3.b			52. Soil, Fertilizer, Potting Materials Covered	C.3.3.3.g
17. Load/Unload Area Inspected & Waste Removed	C.2.6.3.c			53. Maintenance / Repair Designated Areas	C.4.9.1
18. Loading / Unloading Area Spill Kit	C.2.6.3.d			54. Containers: Good Condition, Closed, Protected	C.4.9.2
19. Loading Area Spill Kit	C.2.7.2.a			55. IPM Practices Used	C.4.9.3
20. Maintenance / Repair Area Spill Prevention	C.2.7.2.b			56. Application Equipment Maintained	C.4.9.4
21. Maintenance / Repair Area Spill Kit	C.2.7.2.b			57. Chemicals-Use and Disposal (Laws/Regs)	C.4.9.5
22. Wash Area Drains Protected	C.2.7.4.a			58. Chemicals-Use and Disposal (Label/MSDS)	C.4.9.6
23. Soaps / Degreasers Reduced or Eliminated	C.2.7.4.b			59. Chemicals Labeled, Undercover & Off Ground	C.4.9.7
24. Outdoor Equipment Storage Spill Containment	C.2.7.4.a			60. Appropriate Fertilizer Application Methods	C.4.9.8
25. Outdoor Equipment Storage Area Spill Kit	C.2.7.4.b			61. Stockpiles Bermed, Covered	C.4.9.10
26. Landscape Over Application Precautions	C.2.8.3.b			62. Work Areas Cleaned	C.4.9.11
27. Landscape: Prevent Over Irrigation	C.2.8.3.b			63. Equestrian Waste/Racks	C.4.20
28. Buffers/Debris/etc. Collected and Disposed	C.3.1.1.a				
29. Secondary Containment	C.3.1.1.a				
30. Hazmat Storage Area Inspected	C.3.1.1.b				
31. Wash Areas Inspected Weekly	C.3.1.3.a				
32. Loading and Unloading Areas Dry Cleaned	C.3.1.3.a				
33. Loading and Unloading Area Drains Protected	C.3.1.3.c				
34. Loading and Unloading Equipment Maintained	C.3.1.3.d				
35. Drains Protected Including Area	C.3.2.2.a				
36. Designated Loading Areas	C.3.2.2.b				

COMPLAINT INFO
CONTAMINATED WATER IS BEING DISCHARGED

INTO MS4

NATURE OF COMPLAINT ☒ Runoff ☐ Minure ☐ Irrigation ☐ Other

DOCUMENTS PROVIDED:
☐ TRAINING MANUAL ☐ TRAINING DOCUMENT FORM ☐ CORRECTIVE ACTION FORM
☐ ENG ☐ EQUESTRIAN RELATED BMPs ☐ HORSE OWNERS GUIDE
☐ SP ☐ WPO Sec 67811 et seq.

INSPECTION COSTS:
INSPECTION HOURS: 00 @ \$60 per hour INSPECTION = \$ 00.00
☐ \$90 per hour RE-INSPECTION

STORMWATER ORDINANCE
Ordinance 0412012007

NON-COMPLIANCES ☒ YES ☐ NO TOTAL 01

The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by:

0412012007

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection.
PLEASE CALL: (858) 768-752-4790

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR: DAVID FRITZ SIGNATURE: [Signature] MSP #: 43 TIME (MILITARY): 0312012007 DATE INSPECTED: 03/20/2007

INSPECTION ACKNOWLEDGED BY: Alan Armstrong SIGNATURE: [Signature] DATE ACKNOWLEDGED: 4/23/2007

Distribution: White - County ☒ Canary - Firm/Person Inspected ☐ Pink - Inspector ☐

REVISED 06/01/2005

8724445318

WCDN/AL/01



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW

Business Name: Armstrong Egg Farm (Complaint Investigation)		Inspection Number: 1402 0469	Contact Person: Alan Armstrong
Site Address: (b) (6)		Phone: (b) (6)	
City: Valley Center	Zip: 92082	HSU # 903.15	Annual Inspection <input type="checkbox"/> Complaint <input checked="" type="checkbox"/>
			Date: 3/20/07

NARRATIVE:

Page 1 of 1

On March 20, 2007, I, David Fritz Senior Inspector of the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program, received a complaint regarding Armstrong Egg Farm located at 27023 North Lake Wohlford Rd, Valley Center. In summary the complainant stated that contaminated water from Armstrong Egg Farm was flowing into a pipe that passes under Lake Wohlford Road and was discharging across the street into a water way on the complainant's property located at 26948 North Lake Wohlford Rd.

On March 20, 2007 when I arrived at the site I saw grey water surfacing from a hole in the ground several feet from the access lid of an Underground Storage Tank (UST) located about 100 feet north of Woods Valley Rd on Armstrong property. The water was flowing slowly and had pooled in several areas. I saw evidence that the grey water had entered a pipe that goes under the road. The ground all around the pipe was wet and I could see a ring of grey film around the area and fresh feathers. Across the street at the outlet of the pipe I saw more grey film and feathers, evidence that water had recently flowed through the pipe and discharged onto the complainant's property. I saw no other sources of surface water in the area at that time.

On March 23, 2007 AWQ staff received a second complaint regarding Armstrong Egg Ranch at the same location noted above. Inspector Nestor Silva performed an inspection at the site on March 23rd. During the inspection Silva saw and photographed grey wash water from Armstrong discharging into a roadside pipe that went under Lake Wohlford Road. The water was flooding several properties down stream. Silva stated the water was grey and smelled like chicken manure. Silva determined the source of the discharge was not the UST previously investigated on 3/20/07, but was being discharged from Armstrong Egg Farm at a second point about 100 yards north of the UST.

On March 26, 2007 AWQ Inspectors Silva and Fritz met with Egg Ranch owners Alan and Ryan Armstrong at the 27023 North Lake Wohlford Road location. When we arrived we saw a substantial flow of grey water coming from the egg farm at the second location 100 yards north of the UST. The water entered a pipe that went under Lake Wohlford Road. From there it flowed downstream flooding several neighboring properties.

SAN DIEGO COUNTY WATERSHED PROTECTION ORDINANCE SEC. 67.805. DISCHARGE PROHIBITIONS.

(a) **Illegal Discharges.** The discharge of Pollutants directly or indirectly into the Stormwater Conveyance System or Receiving Waters in non-stormwater is prohibited, except as exempted in Section 67.806 of this Ordinance. The discharge of Pollutants directly or indirectly into the Stormwater Conveyance System or Receiving Waters in stormwater is prohibited, unless the applicable requirements of this Ordinance have been met. *The illegal discharges to the conveyances noted above shall be eliminated and Best Management Practices (BMP) shall be implemented to ensure corrections are installed and maintained in a satisfactory manner.*

(b) **Illicit Connection.** The establishment of Illicit Connections is prohibited. The use of Illicit Connections is prohibited, even if the connection was established pursuant to a valid County permit and was legal at the time it was constructed. *The concrete culvert conveying Armstrong Egg Farms wash water to the pipe that runs under Lake Wohlford Rd shall be eliminated.*

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN THE COUNTY OF SAN DIEGO WATERSHED PROTECTION, STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE SECTION 67.825. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION. PLEASE CALL (760)-752-4798 FOR RE-INSPECTION WITHIN 14 DAYS.

I HAVE READ AND UNDERSTAND THE ADDITIONAL REMARKS LISTED ABOVE		INSPECTOR <i>David Fritz</i>	BADGE # 43
INSPECTION ACKNOWLEDGED BY (PRINT) <i>* Alan Armstrong</i>	TITLE <i>Owner</i>	SIGNATURE <i>Alan Armstrong</i>	DATE <i>4/23/07</i>



COUNTY OF SAN DIEGO
DEPARTMENT OF AGRICULTURE, WEIGHTS & MEASURES
Inspector Notes

Business Name: Armstrong Egg Farm, 27023 North Lake Wohlford Rd, Valley Center

On March 20, 2007, I, David Fritz Senior Inspector of the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program, received a complaint regarding Armstrong Egg Farm located at 27023 North Lake Wohlford Rd, Valley Center. In summary the complainant stated that contaminated water from Armstrong Egg Farm was flowing into a culvert that passes under Lake Wohlford Road and was discharging across the street into a water way on the complainant's property located at 26948 North Lake Wohlford Rd. The complainant stated they keep expensive horses on the property and their concern was that the horses may ingest the contaminated water and become ill. It was further stated that Armstrong has been discharging contaminated water periodically for several years and that they felt that previous efforts made by Armstrong to stop the discharges have not been adequate. The complainant voiced frustration that not enough was being done to make Armstrong stop their discharges.

A previous complaint against Armstrong Egg Farm was received and investigated on May 7, 2004. After investigating the complaint Ag Water Quality (AWQ) staff issued a notice of non-compliance to Armstrong Egg Farm on May 10, 2004 for violation of section C.2.4.2; (Prevention of Illegal Discharges) of the San Diego County Watershed Protection, Stormwater Management and Discharge Control Ordinance. Armstrong Egg Farm collaborated with Valerie Mellano of the UC Cooperative Extension (UCCE) to correct the problem. The solution was the installation of a 1500 gallon poly Under Ground Storage Tank (UST) designed to capture the runoff for reuse inside the farm to cool the hens and irrigate the landscape. In June of 2004 the UST was installed and the project was completed to the satisfaction of Mellano and AWQ staff.

On March 20, 2007 I visited the addresses noted above and inspected where the tank had been installed. I did not take any photographs during this inspection because at the time I received the complaint I was in the field performing other work that did not require a camera. After receiving the complaint call I drove immediately to the site without returning to the office to retrieve my camera. When I arrived at the site I saw grey water surfacing from a hole in the ground several feet from the access lid of the UST, located on the Armstrong property. The water was not flowing and was pooled in several spots. I saw evidence that the grey water had previously entered a pipe that goes under the road. The ground all around the pipe was wet and I could see a ring of grey film around the area and fresh feathers. Across the street at the outlet of the pipe I saw more grey film and feathers, evidence that water had recently flowed through the pipe and discharged onto the complainant's property. I saw no other sources of surface water in the area at that time.

On March 20, 2007 I contacted Valerie Mellano and asked if she would be available to meet with Armstrong Egg Farm regarding the UST and the discharge. Valerie stated she would meet with Armstrong, but wanted AWQ to contact them first and refer them to her for the corrections. I then spoke to Richard Diaz of the Department of Public Works (DPW) and asked if there were any concerns or problems with AWQ and Mellano addressing the issue. Diaz stated he would need to speak with Program Manager Cid Tesoro to determine if DPW needed to be involved.

On March 21st Diaz called me back and in summary stated the discharges at Armstrong were a clear violation, but added that issuing a formal Notice of Violation (NOV) would not be mandatory if Armstrong corrected the situation quickly. Diaz stated it wasn't necessary for DPW to become involved at this point, but would support what ever compliance strategy AWQ chose provided corrections were completed in a timely manner and the illegal discharges were eliminated. I then called and spoke to Alan Armstrong owner of Armstrong Egg Farms. I explained the circumstances of the complaint and the need to resolve the discharges immediately. Alan agreed to meet with Mellano and myself on March 26th to determine what the problem might be and make the needed corrections.

On March 23, 2007 AWQ staff received a second complaint regarding Armstrong Egg Ranch at the same location noted above. In summary the complainant said that smelly grey water from Armstrong was discharging into a water way and was flowing through several properties down stream. The complainant at Oaks Indian Hills Ranch asked if anything could be done to stop Armstrong from discharging the water onto their property. AWQ Inspector Nestor

Silva told the complainant he would investigate the incident and performed an inspection at the above noted site on March 23rd. During the inspection Nestor Silva met with a representative of Oaks Indian Hill Ranch who showed Silva the extent of the runoff. Silva saw and photographed grey wash water from Armstrong discharging into a roadside culvert that went under Lake Wohlford Road. The water flowed west through a narrow earthen channel that intersected two properties and was flooding several properties down stream. Silva stated the water was grey and smelled like chicken manure. Silva determined the source of the discharge was not the UST previously investigated on 3/20/07, but was being discharged from Armstrong Egg Farm at a second point about 100 yards north of the UST.

On March 26, 2007 AWQ Inspectors Silva and Fritz met with Egg Ranch owners Alan and Ryan Armstrong at the 27023 North Lake Wohlford Road location. Valerie Mellano was unable to attend the meeting. When we arrived we saw a substantial flow of grey water coming from the egg farm at the second discharge location 100 yards north of the UST. The water entered a concrete storm drain and discharged into a roadside pipe that went under Lake Wohlford Road. I asked Alan and Ryan to explain the discharge I was seeing. In summary Alan said that the discharge water was from their egg washing process and that they normally discharged the water in this fashion because there really wasn't anything harmful in it. He said that the smell was normal and couldn't be avoided. Alan said he knew the discharge was wrong, but that they have been working with Val Mellano and the UCCE to develop a permanent solution. Alan said they were working on an interim solution, but it wasn't finished yet. Alan showed me a 5000 gallon above ground storage tank he said they installed to collect the wash water which they would use to irrigate a large block of eucalyptus trees on the north portion of their property. I expressed concern that by reusing the wash water Armstrong may be creating other illegal discharge problems from over irrigation. Alan said the area they were going to use the water on did not present a runoff problem and that the water would be completely contained within the eucalyptus grove.

During our inspection the irrigation system was not completed and I saw grey wash water flowing out of the storage tank onto the ground and into a concrete culvert on Armstrong property. The water entered a pipe that went under Lake Wohlford Rd where it entered an earthen channel flowing west and was flooding several properties downstream. In summary I explained to Alan and Ryan that the discharge was in violation of the County's Watershed Protection Ordinance and National Pollutant Discharge Elimination System (NPDES) permit issued to the county by the RWQCB. I said the water could not be discharged and would need to be contained on site. Alan said he was confident the collection and irrigation system would stop the discharge and that they would have it completed and working properly by Tuesday 3/27. At that time I scheduled a re-inspection with Armstrong at 2:00 on March 28th to verify the repairs had been made, that the system was working properly, and to ensure the discharge had been eliminated.

On March 27th I spoke with Valerie Mellano and explained the situation at Armstrong. Mellano said she was going to meet with Alan to discuss the problem this week. In summary Mellano said one solution she has been working on for the egg farm would be to construct a collection pond that they could pump their water into and reuse it to cool down the hen houses, control dust on the roads and wet down their manure compost piles. She said that there is other Confined Animal Feeding Operations (CAFO) like pig farms and cattle ranches operating in the county that are using ponds for the same purpose. Mellano said the problem in constructing a pond lies in getting the proper permits from the county and making sure it meets the RWQCB's requirements. Mellano suggested I provide Armstrong with the Natural Resource Conservation Service (NRCS) phone number as a resource for the pond construction.

On March 28th I re-inspected Armstrong Egg Ranch at the North Lake Wohlford Road location. As I drove up I could see the irrigation system at the second discharge point running in the eucalyptus grove. The discharge from the storage tank had stopped and the concrete culvert was dry. I walked across the street and looked at the waterway where I previously saw grey water flowing. The waterway level was much lower and was drying up in several places. I walked along the fence line and did not see overspray or tailwater flows from the irrigation system leaving the property.

Alan and Ryan Armstrong showed up at the site a few minutes after I arrived. We inspected the collection system and Alan explained how it worked. In summary Alan said the egg wash water is pumped into the tank and the irrigation system comes on when the volume of water in the tank reaches a set point. The pump runs on a continual basis until the tank is almost empty and then shuts off. When the tank fills again the process is repeated. Only the wash water enters the tank, while solids are removed through another process unrelated to the collection system and is composted in their manure piles. I informed Alan that I did not know if using grey water to irrigate the eucalyptus grove was appropriate or permissible and recommended that he look into the matter further to avoid other potential water quality concerns that I wasn't aware of.

In summary I stated that if Armstrong's discharges continue or that if the interim controls should prove inadequate or fail or if I receive another complaint of discharge from that site I would be required to inform the RWQCB of the situation. I discussed with Alan and Ryan the need for a permanent solution for the collection of their waste water on site. The Armstrong's expressed the need and willingness to correct the problem and indicated their desire to construct a pond, but were not clear on how to proceed. I provided Alan with the phone number of the NRCS as a resource for developing a plan to construct a more permanent solution to capture their waste water. I then left the site.

I then drove back to Armstrong and inspected the first discharge point in the area where the UST was installed. There was still grey water flowing into the pipe which was being discharged across the street onto a neighboring property. There is an irrigation system connected to the UST that was designed to capture water from the UST to irrigate the landscape. The irrigation system had not been repaired and did not appear to be functioning. I could see several broken sprinkler heads and no evidence of recent irrigation of the landscape.

On April 3, 2007 I called Armstrong Egg Farm and spoke to Mrs. Armstrong. In summary Mrs. Armstrong said Alan and Ryan were unavailable to talk and were busy making deliveries because they were short several drivers. She said she would call Alan immediately and relay the message to repair the tank. A few minutes later I received a call back from Alan who told me he had a guy working to repair the tank and that it would be fixed soon. I said I would check back with him to verify the repairs to the tank.

From my observations it appears that Armstrong Egg Farm has corrected the deficiencies in both of their wash water recovery systems and has eliminated their discharges to the water ways.

David Fritz
Senior Ag/Standards Inspector
April 16, 2007

COUNTY OF SAN DIEGO
WATER QUALITY
COMPLIANCE INSPECTION
AWMSW 1402 (09/03)
WEBSITE: WWW.SDCAWM.ORG

INSPECTION TYPE
☐ ANNUAL ☐ REINSPECT ☒ REFEARAL ☒ COMPLAINT
"IF REINSPECTION" ORIG INSPECTION NO
1402-0625

1402-0845
NURSERY / GREENHOUSE / CAFO
DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS F
COMMERCIAL FACILITIES & ACT

OFFICE USE ONLY
BUSINESS NAME: ARMSTRONG ELEGANT FARM
BUSINESS MAILING ADDRESS: (b) (6)
PROPERTY LOCATION: 27023 N LAKE WOHLFORD RD VALLEY CENTER 92082
TELEPHONE NUMBER: [REDACTED]
STORMWATER REGISTRATION NO: 37 SW
NURSERY LICENSE NUMBER: [REDACTED]
HYDRO SUB-UNIT: 904.63

BMP STANDARDS		Section	COMPLIANCE			BMP STANDARDS		Section	COMPLIANCE		
			YES	NO	NA				YES	NO	NA
1. Removal of Eroded Soils from Disturbed Slopes	B.2.2.1					37. Maintenance / Repair Area Drains Protected	C.3.2.2.a				
2. Illegal Discharge Practices Eliminated	B.2.4.1					38. Maintenance / Repair Spill Precautions	C.3.2.2.b				
3. Slopes >250 sq ft Protected from Erosion	B.2.5.1					39. Retired Vehicle Fluids Drained	C.3.2.2.d				
4. Materials / Waste Storage	B.2.6.1					40. Maintenance / Repair Area Dry Cleaning	C.3.2.2.e				
5. No Rinsate to Conveyance / Receiving Waters	B.2.7.1					41. Maintenance / Repair Drip Pans	C.3.2.2.f				
6. Annual Training Provided	C.2.1.1					42. Wash Area Precautions	C.3.2.3.a				
7. Annual Training Documented	C.2.1.2					43. Wash Area Drain Plumbed to Sewer	C.3.2.3.b				
8. Annual Review of Facilities and Training	C.2.4.1					44. Wash Water Infiltration	C.3.2.3.c				
9. P2 - Pollution Prevention Practices Implemented	C.2.5.1					45. Wash Water Contained for Treatment	C.3.2.3.d				
10. Hazmat & Waste: Storage/Manage/Disposal	C.2.6.1.a					46. Stored Equipment Berned and Covered	C.3.2.4.b				
11. Hazardous Materials Storage Practices	C.2.6.1.b					47. Rooftop Downspout Routing	C.3.3.1.c				
12. Drums & Containers: Good Condition / Closed	C.2.6.1.c					48. Parking Area Trash Cans Provided	C.3.3.2.a				
13. Hazmat Storage Spill Kit	C.2.6.1.d					49. Parking Area Vehicle Storage	C.3.3.2.b				
14. Trash Area Clean & Free of Debris	C.2.6.2.a					50. Parking Area Leaks and Spills Cleaned	C.3.3.2.c				
15. Dumpsters Closed and Maintained	C.2.6.2.b					51. Parking Area Stored Materials Berned	C.3.3.2.d				
16. Loading / Unloading Area Spills / Leaks	C.2.6.3.b					52. Soil, Fertilizer, Potting Materials Covered	C.3.3.3.g				
17. Load/Unload Area Inspected & Waste Removed	C.2.6.3.c					53. Maintenance / Repair in Designated Areas	C.4.1.1				
18. Loading / Unloading Area Spill Kit	C.2.6.3.d					54. Containers: Good Condition, Closed, Protected	C.4.9.1				
19. Fueling Area Spill Kit	C.2.7.1.b					55. IPM Practices Used	C.4.9.2				
20. Maintenance / Repair Area Spill Prevention	C.2.7.2.a					56. Application Equipment Maintained	C.4.9.3				
21. Maintenance / Repair Area Spill Kit	C.2.7.2.b					57. Chemicals-Use and Disposal (Laws/Regs)	C.4.9.4				
22. Wash Area Drains Protected	C.2.7.3.a					58. Chemicals-Use and Disposal (Label/MSDS)	C.4.9.5				
23. Soaps / Degreasers Reduced or Eliminated	C.2.7.3.b					59. Chemicals Labeled, Undercover & Off Ground	C.4.9.6				
24. Outdoor Equipment Storage Spill Containment	C.2.7.4.a					60. Appropriate Fertilizer Application Methods	C.4.9.7				
25. Outdoor Equipment Storage Area Spill Kit	C.2.7.4.b					61. Stockpiles Berned, Covered	C.4.9.10				
26. Landscape - Over Application Precaution	C.2.8.3.a					62. Work Areas Cleaned	C.4.9.11				
27. Landscape - Prevent Over Irrigation	C.2.8.3.b					63. Equestrian Wash Racks	C.4.20				
28. Litter, Debris, etc. Collected and Disposed	C.2.8.3.d					STORMWATER ORDINANCE		Ordinance			
29. Secondary Containment	C.3.1.1.a					64. Discharge Prohibitions	67.805				
30. Hazmat Storage Area Inspected	C.3.1.1.b					65. BMP Regs Applicable to all Dischargers	67.807				
31. Trash Areas Inspected Weekly	C.3.1.2.a					66. BMP Regs for Commercial Activities and Facility	67.809				
32. Loading and Unloading Areas Dry Cleaned	C.3.1.3.a					67. BMP Regs for Agricultural Operations	67.811				
33. Loading and Unloading Area Drains Protected	C.3.1.3.c					68. Regs for Land Disturbance Activities	67.817				
34. Loading and Unloading Equipment Maintained	C.3.1.3.d					69. Regs for Land Development and Redevelopment	67.818				
35. Drains Protected in Fueling Area	C.3.2.1.a					70. Maintenance of BMPs	67.819				
36. Designated Fueling Area	C.3.2.1.b										

COMPLAINT INFO
CONTAMINATED WATER ENTERING
MS4 (REVISED FROM INSP#14020625)
NATURE OF COMPLAINT ☒ Runoff ☐ Manure ☐ Irrigation ☐ Other

DOCUMENTS PROVIDED:
☐ TRAINING MANUAL ☐ TRAINING DOCUMENT FORM ☐ CORRECTIVE ACTION FORM
☐ ENG ☐ EQUESTRIAN RELATED BMPs ☐ HORSE OWNERS GUIDE
☐ SP ☐ WPO Sec 67811 et seq.

INSPECTION COSTS:
INSPECTION HOURS: 3.0 @ \$60 per hour INSPECTION = \$180.00
\$90 per hour RE-INSPECTION = \$00.00

NON-COMPLIANCES ☒ YES ☐ NO TOTAL 04

The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by: 09/06/2007

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection. PLEASE CALL: 760-752-4790 (858)

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR: DAVID FRITZ
INSPECTION ACKNOWLEDGED BY: [Signature]
DATE INSPECTED: 09/05/2007
DATE ACKNOWLEDGED: 09/11/2007

Distribution: White -County Canary -Firm/Person Inspected Pink -Inspector



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW

Business Name: Armstrong Egg Farm (Complaint Investigation)		Inspection Number: 1402 0625		Contact Person: Alan Armstrong	
Site Address: (b) (6)				Phone: (b) (6)	
City: Valley Center	Zip: 92082	HSU # 903.15	Annual Inspection <input type="checkbox"/>	Date: 9/5/07	
			Complaint <input checked="" type="checkbox"/>		

INSPECTOR NOTES:

Page 1 of 3

On September 5, 2007, I, David Fritz Senior Inspector of the San Diego County Department of Agriculture Weights and Measures (AWM), Agricultural Water Quality Program (AWQ) accompanied by (AWM) Supervising Inspector Nancy Appel and Department of Public Works (DPW) Inspector Nancy Barber, conducted a water quality compliance inspection at Armstrong Egg Farm located at 27023 North Lake Wohlford Rd, Valley Center. The inspection was due to a series of complaints received by (AWM) regarding illegal discharges by Armstrong over the last 6 months.

In summary the complaints stated that Armstrong Egg Farm is illegally discharging water contaminated with chicken wastes into two separate county stormwater conveyances (MS4) located on North Lake Wohlford Road. Additionally the complaints state that the discharges travel under Lake Wohlford Road and across the street where it discharges onto and through several private properties.

Inspector Barber, Appel and I arrived at the above noted address at approximately 12:30. We stopped at the southern end of Armstrong's property approximately 200 feet north of the corner of Woods Valley and Lake Wohlford Road where we observed and photographed grey smelly water flowing from Armstrong property in an earthen ditch. The water in the ditch discharged into a 24 inch county stormwater conveyance which goes under Lake Wohlford Road and exits across the street on private property. (Figures 1 & 2)

We then traveled north on Lake Wohlford Road approximately one half mile to a second discharge point located on the northern end of Armstrong's property. From there we observed and photographed water flowing under a fence and into a concrete ditch. The water discharged from the ditch into a 24 inch county stormwater conveyance which goes under Lake Wohlford Road and exits across the street on private property. (Figures 3 & 4)

Appel called farm owner Alan Armstrong to inform him that we were at the site and requested he meet us there. Armstrong arrived approximately 15 minutes later. After introductions Appel and Fritz explained in summary to Armstrong the purpose of the visit was to address the complaints and that we were there to conduct an inspection of the site to determine the source of the discharges.

In summary Armstrong explained that at the southern location a pump for their 1500 gallon underground vault used to capture hen house cooling water had failed causing water to overflow the vault and discharge into the county stormwater conveyance. He said the pump was repaired immediately, but admitted that the vault was inadequate to handle the volume of water entering it. Co owner Ryan Armstrong then arrived at the site.

Appel asked Alan to explain where the water in the concrete ditch at the northern discharge point was coming from. Alan said the hen houses are cooled by manually operated sprinklers installed on the roofs and that the water was roof runoff used to cool the hen houses. They run everyday in the summer and periodically throughout the rest of the year depending on the temperature. Appel said an inspection was necessary to further verify the source of the water. Alan suggested that rather than donning Tyvek suits and walking around a drive through the farm might be appropriate. He said we could suit up and walk through afterwards if we needed to. Appel, Barber and I got in Alan's truck and conducted a drive through inspection of the site.

We first inspected the north portion of the farm which has newer hen houses. The roof sprinklers were operating throughout the farm during the course of the inspection. Manure is removed from the newer houses through a conveyor belt system located directly under the hens. Rain and cooling water do not come into contact with the manure in the newer houses. I saw cooling water roof runoff draining into grassy areas between the houses. From these grassy areas the cooling water surface flows across an asphalt frontage road to a concrete curb. (Figure 5) Some areas between the houses have underground pipes that convey the cooling water to the curb. From the curb the water flows north under the fence where it enters the previously mentioned concrete ditch and discharges directly into the county stormwater conveyance.

We then inspected the southern portion of the farm which has the oldest hen houses. Chicken manure is deposited under the houses directly on the ground where it accumulates in large quantities. Alan said they remove the manure twice a year by shoveling it into pits between the houses where it is removed by a tractor. I saw cooling water from the roofs coming into contact with the manure on the ground. The manure is also exposed to rain. The cooling water flows through a mix of surface



County of San Diego
Water Quality Compliance Inspection
AVMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW

Business Name: Armstrong Egg Farm (Complaint Investigation)		Inspection Number: 1402.0625		Contact Person: Alan Armstrong	
Site Address: (b) (6)				Phone: (b) (6)	
City: Valley Center	Zip: 92082	HSU #: 903.15	Annual Inspection Complaint <input checked="" type="checkbox"/>	Date: 9/5/07	

INSPECTOR NOTES:

Page 2 of 3

and subsurface drains to a concrete lined pit where it is pumped to a smaller pit outside the fence. (Figure 6) The small pit has two pipes, one that diverts cooling water into the 1500 gallon vault and another one that discharges cooling water directly to the county stormwater conveyance. Alan said that when the flow into the pit gets too high the cooling water is discharged through the second pipe directly into the county stormwater conveyance.

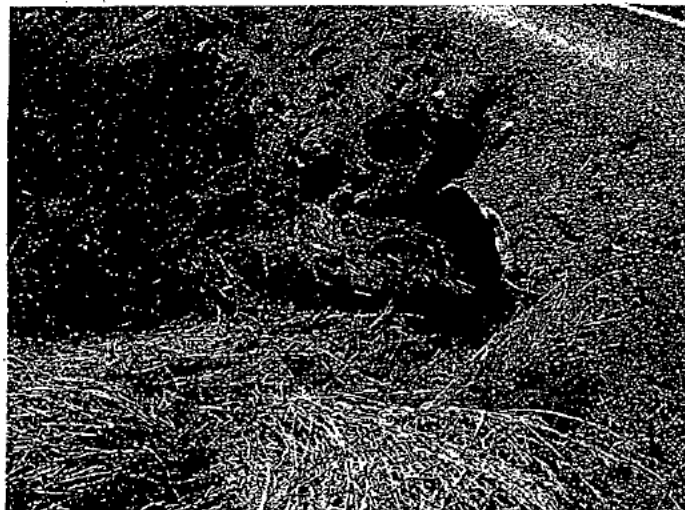
After the inspection Alan, Appel, Barber and I discussed corrective measures. Several strategies were discussed and suggestions were made. Alan said they planned to reduce the number of birds in the oldest houses from 60,000 to 5,000 which would reduce the number of houses that need to be cooled. The remaining birds would be housed towards the back of the farm farthest from the road. The reduction wouldn't be implemented until later this year. Alan said that as an interim measure they would remove the small pit outside the fence at the southern portion of the farm and route the cooling water directly to the underground vault. He said the pipe connected to the MS4 would be removed and the excess cooling water would be diverted to an overflow basin constructed adjacent to the vault. In the northern part of the farm suggestions included that the pipes located between the hen houses be removed or capped off. The water could be infiltrated into the grassy areas rather than discharged to the street. A rock filled infiltration trench was also suggested.

Alan asked when the corrections needed to be completed. Appel said within 24 hours because the discharges had been occurring for several months without anything being done to stop it. She also said Armstrong Egg Farm would be issued a Warning Citation which may lead to future fines if the discharges are not stopped. Alan said at the southern location they would remove the pipe, fill in the pit and construct an overflow basin the next day. No definite corrective measures or time frames were discussed regarding the northern portion of the farm. In summary Appel said all discharges at the Armstrong property must be immediately or further enforcement actions would result. Appel, Barber and Fritz left the site at 3:25.

Figure 1



Figure 2





County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO. 37SW

Business Name: Armstrong Egg Farm (Complaint Investigation)		Inspection Number: 1402 0625		Contact Person: Alan Armstrong	
Site Address: (b) (6) Rd		City: Valley Center		Phone: 7 (b) (6)	
Zip: 92082		HSU # 903.15		Annual Inspection <input type="checkbox"/> Complaint <input checked="" type="checkbox"/>	
				Date: 9/5/07	

INSPECTOR NOTES:

Page 1 of 3

Figure 3



Figure 4



Figure 5



Figure 6



COUNTY OF SAN DIEGO
WATER QUALITY
COMPLIANCE INSPECTION
AWMSW 1402 (09/03)
WEBSITE: WWW.SDCAWM.ORG

INSPECTION TYPE
☐ ANNUAL ☐ REFERRAL
☐ REINSPECT ☒ COMPLAINT
IF REINSPECTION ORIG INSPECTION NO
[] [] [] - [] [] []

1402 0625

NURSERY / GREENHOUSE / CAFO
DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

OFFICE USE ONLY
BUSINESS NAME: ARMSTRONG EGG FARM
BUSINESS MAILING ADDRESS: (b)(6)
PROPERTY LOCATION: 27023 N LAKE WOLFORD RD VALLEY CENTER 92082
TELEPHONE NUMBER: (b)(5) DEL BERATIVE
STORMWATER REGISTRATION NO: 37SW
NURSERY LICENSE NUMBER: 904.63
HYDRO SUB-UNIT: 904.63

BMP STANDARDS		Section	COMPLIANCE	BMP STANDARDS		Section	COMPLIANCE		
YES	NO	YES	NO	YES	NO	YES	NO		
		1. Removal of Eroded Soils from Disturbed Slopes	B.2.2.1			37. Maintenance / Repair Area Drains Protected	C.3.2.2.a		
		2. Illegal Discharge Practices Eliminated	B.2.2.2			38. Maintenance / Repair Spill Precautions	C.3.2.2.b		
		3. Slopes >250 sq. ft. Protected from Erosion	B.2.6.1			39. Retired Vehicle Fluids Drained	C.3.2.2.d		
		4. Materials / Waste Storage	B.2.6.1			40. Maintenance / Repair Area Dry Cleaning	C.3.2.2.e		
		5. No Rinsate to Conveyance / Receiving Waters	B.2.7.1			41. Maintenance / Repair Drip Pans	C.3.2.2.f		
		6. Annual Training Provided	C.2.4.1			42. Wash Area Precautions	C.3.2.3.a		
		7. Annual Training Documented	C.2.4.2			43. Wash Area Drain Plumbed to Sewer	C.3.2.3.b		
		8. Annual Review of Facilities and Training	C.2.4.1			44. Wash Water Infiltration	C.3.2.3.c		
		9. P2 Pollution Prevention Practices Implemented	C.2.5.1			45. Wash Water Contained for Treatment	C.3.2.3.d		
		10. Hazmat & Waste: Storage/Manage/Disposal	C.2.6.1.a			46. Stored Equipment Bermed and Covered	C.3.2.4.b		
		11. Hazardous Materials Storage Practices	C.2.6.1.b			47. Rooftop/Downspout Routing	C.3.3.1.c		
		12. Drums & Containers: Good Condition / Closed	C.2.6.1.c			48. Parking Area Trash Cans Provided	C.3.3.2.a		
		13. Hazmat Storage Spill Kit	C.2.6.1.d			49. Parking Area Vehicle Storage	C.3.3.2.b		
		14. Trash Area Clean & Free of Debris	C.2.6.2.a			50. Parking Area Leaks and Spills Cleaned	C.3.3.2.c		
		15. Dumpsters Closed and Maintained	C.2.6.2.b			51. Parking Area Stored Materials Bermed	C.3.3.2.d		
		16. Loading / Unloading Area Spills / Leaks	C.2.6.3.b			52. Soil, Fertilizer, Potting Materials Covered	C.3.3.3.g		
		17. Load/Unload Area Inspected & Waste Removed	C.2.6.3.c			53. Maintenance / Repair in Designated Areas	C.4.1.1		
		18. Loading / Unloading Area Spill Kit	C.2.6.3.d			54. Containers: Good Condition, Closed, Protected	C.4.9.1		
		19. Fueling Area Spill Kit	C.2.7.1.b			55. IPM Practices Used	C.4.9.2		
		20. Maintenance / Repair Area Spill Prevention	C.2.7.2.a			56. Application Equipment Maintained	C.4.9.3		
		21. Maintenance / Repair Area Spill Kit	C.2.7.2.b			57. Chemicals-Use and Disposal (Laws/Regs)	C.4.9.4		
		22. Wash Area Drains Protected	C.2.7.3.a			58. Chemicals-Use and Disposal (Label/MSDS)	C.4.9.5		
		23. Greases / Degreasers Reduced or Eliminated	C.2.7.3.b			59. Chemicals Labeled, Undercover & Off Ground	C.4.9.6		
		24. Outdoor Equipment Storage Spill Containment	C.2.7.4.a			60. Appropriate Fertilizer Application Methods	C.4.9.7		
		25. Outdoor Equipment Storage Area Spill Kit	C.2.7.4.b			61. Stockpiles Bermed, Covered	C.4.9.10		
		26. Landscape: Over Application Precaution	C.2.8.3.a			62. Work Areas Cleaned	C.4.9.11		
		27. Landscape: Prevent Over Irrigation	C.2.8.3.b			63. Equestrian Wash Racks	C.4.20		
		28. Litter, Debris, etc. Collected and Disposed	C.2.8.8.d			STORMWATER ORDINANCE			Ordinance
		29. Secondary Containment	C.3.1.1.a			64. Discharge Prohibitions	67.805		
		30. Hazmat Storage Area Inspected	C.3.1.1.b			65. BMP Regs Applicable to all Dischargers	67.807		
		31. Trash Areas Inspected Weekly	C.3.1.2.a			66. BMP Regs for Commercial Activities and Facility	67.809		
		32. Loading and Unloading Areas Dry Cleaned	C.3.1.3.a			67. BMP Regs for Agricultural Operations	67.811		
		33. Loading and Unloading Area Drains Protected	C.3.1.3.c			68. Regs for Land Disturbance Activities	67.817		
		34. Loading and Unloading Equipment Maintained	C.3.1.3.d			69. Regs for Land Development and Redevelopment	67.818		
		35. Drains Protected in Fueling Area	C.3.2.1.a			70. Maintenance of BMPs	67.819		
		36. Designated Fueling Area	C.3.2.1.b			71. Residential Manure & Pet Waste	67.808g		
		COMPLAINT INFO				72.			
						73.			

NATURE OF COMPLAINT ☒ Runoff ☐ Manure ☐ Irrigation ☐ Other

DOCUMENTS PROVIDED:

☐ TRAINING MANUAL ☐ TRAINING DOCUMENT FORM ☐ CORRECTIVE ACTION FORM
☐ ENG ☐ EQUESTRIAN RELATED BMPs ☐ HORSE OWNERS GUIDE
☐ SP ☐ WPO Sec 67811 et seq.

INSPECTION COSTS:

INSPECTION HOURS: 3.0 @ ☐ \$60 per hour INSPECTION ☐ \$90 per hour RE-INSPECTION = \$ 00.00

NON-COMPLIANCES ☒ YES ☐ NO

TOTAL 08

The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by:

09/10/06/2007

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection.

PLEASE CALL: 760-752-4790 (858)

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR: DAVID FRITZ INSP # 483 TIME (MILITARY) 1200 DATE INSPECTED 09/10/05/2007
ACKNOWLEDGED BY: Alan Armstrong SIGNATURE [Signature] DATE ACKNOWLEDGED 09/10/05/2007

Distribution: White -County

Canary -Firm/Person Inspected

Pink -Inspector

8724445318

REVISED 06/01/2005



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW

Business Name: Armstrong Egg Farm		Inspection Number: 1402-0625		Contact Person: Alan Armstrong	
Site Address: (b) (6)				Phone: (b) (6)	
City: Valley Center	Zip: 92082	HSU # 903.15	Complaint <input checked="" type="checkbox"/>	Date: 9/5/07	

INSPECTOR NOTES:

Page 1 of 1

On September 5, 2007, I, David Fritz Senior Inspector of the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program (AWQ) accompanied by Ag Weights and Measures (AWM) Supervising Inspector Nancy Appel and Department of Public Works (DPW) Inspector Nancy Barber, conducted a water quality compliance inspection at Armstrong Egg Farm located at 27023 North Lake Wohlford Rd, Valley Center. The above named business was found to be in non compliance with the following the sections of the County of San Diego's Watershed Protection, Stormwater Management and Discharge Control Ordinance. Following each ordinance section below, you will find in bold, a brief description of the specific condition that constituted the non-compliance.

WATERSHED PROTECTION ORDINANCE: SEC. 67.805 (a), (b) Discharge Prohibitions. STORMWATER STANDARDS MANUAL: SEC. B.2.4.1 Prevention of Illegal Discharges.

Armstrong Egg Farm has two (2) illegal connections to the County Stormwater Conveyance System at the above noted address. During the course of this inspection discharges from these connections were observed entering the County Stormwater Conveyance System on North Lake Wohlford Rd. All illegal connections to the MS4 shall be removed and illegal discharges eliminated immediately.

WATERSHED PROTECTION ORDINANCE SEC. 67.807 (b) (3) & (5) Minimum Best Management Practices for All Dischargers. SEC. 67.807 (c) Inspection, Maintenance, Repair and Upgrading of BMPs.

In the southern portion of the farm, roof cooling water was observed contacting chicken manure deposited on the ground in and around the houses. The cooling water flowed into a pipe connected to the Stormwater Conveyance System. In the northern portion of the farm, roof cooling water was observed flowing under a fence and into a concrete ditch connected to the Stormwater Conveyance System.

There is a waste water recovery system at this site, but it is inadequate for the circumstances. Alan Armstrong stated the system is too small to manage the amount of waste water entering into it which causes it to back up and overflow. The waste water recovery system must be modified or upgraded to prevent any further failure in the same or similar circumstances. All contaminated water with the potential to discharge off site shall have secondary containment.

Documents Provided:

Training Documentation Form ☐
Training Manual: English ☐ Spanish ☐
Corrective Action Form ☐

Inspection Fee Summary:

Inspection Hrs 3.0 @ 0.00/hr = \$00.00
Report Hrs 0.0 @ 0.00/hr = \$00.00
Total Inspection Fees Paid = \$00.00

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN THE COUNTY OF SAN DIEGO WATERSHED PROTECTION, STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE SECTION 67.825. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION. PLEASE CALL (760-752-4790) FOR RE-INSPECTION WITHIN 1 DAY.

I HAVE READ AND UNDERSTAND THE ADDITIONAL REMARKS LISTED ABOVE		INSPECTOR 	BADGE # 43
INSPECTION ACKNOWLEDGED BY (PRINT)	TITLE	SIGNATURE	DATE

ADMINISTRATIVE CITATIONS

County Code Section 18.103 provides for issuance of administrative citations for County Code violations. There are four levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of this citation, are \$100 for the First Citation, \$200 for the Second Citation, \$500 for the Third Citation, and \$1000 for the Fourth Citation and subsequent Citations. These fines are cumulative. A warning, if issued, does not incur a fine and, therefore, is not appealable.

ORDER

You are ordered to:

- (1) immediately cease committing the code violation(s) listed on the front of this citation,
- (2) make correction(s), and
- (3) not repeat the violation(s).

RIGHTS OF APPEAL

You have the right to appeal this administrative citation within 10 business days from the date the citation was issued. An appeal must be made on a Request for Hearing form and include a return address, a basis for the appeal in detail, and be accompanied by all owed accumulated fines related to the violation. Forms may be obtained from the issuing officer designated on the front or by calling the Code Enforcement Clerk at (858) 694-3165. An appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within 10 business days shall constitute a waiver of his or her right to an administrative hearing and adjudication of the administrative citation and you will forfeit any fine paid.

HOW TO PAY FINE

The amount of the fine is indicated on the front of this administrative citation and is due within 30 days of the issue date of the citation. You may pay by mail or in person. Payments should be made by personal check, cashier's check or money order payable to the San Diego County Treasurer, at the address below.

County of San Diego
Department of Public Works
5201 Ruffin Road, Suite D
San Diego, CA 92123
ATTN: Public Works WPP Fiscal

If the fine is not paid within 30 days of the issue date of the citation, you will receive a Delinquent Notice from the Finance Department and a 50% penalty fee will be assessed in addition to the original fine.

If you need further clarification about payment of the citation, please call (858) 694-3232.

Payment of any fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the County.

CONSEQUENCES OF FAILURE TO PAY THE FINE

The failure of any person to pay the fine assessed by an administrative citation within 30 days of the issuing date of the citation or the due date on a Delinquent Notice may result in a lien against your property, turning the account over to a collection agency, filing a claim with the Small Claims Court or any legal remedy to collect such money. The County has the authority to collect all costs associated with the filing of such actions.

CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: abatement, criminal prosecution, civil litigation, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property.

If you need further information about the violations and/or how to comply, please call the enforcement officer designated on the front.

**WATERSHED PROTECTION, STORMWATER MANAGEMENT AND
DISCHARGE CONTROL ORDINANCE Section(s):**

San Diego County Watershed Protection Ordinance:

SEC. 67.805. DISCHARGE PROHIBITIONS

- (a) Illegal Discharges. The discharge of Pollutants directly or indirectly into the Stormwater Conveyance System or Receiving Waters in non-stormwater is prohibited, except as exempted in Section 67.806 of this Ordinance. The discharge of Pollutants directly or indirectly into the Stormwater Conveyance System or Receiving Waters in stormwater is prohibited, unless the applicable requirements of this Ordinance have been met.
- (b) Illicit Connection. The establishment of Illicit Connections is prohibited. The use of Illicit Connections is prohibited, even if the connection was established pursuant to a valid County permit and was legal at the time it was constructed.

SEC. 67.809. ADDITIONAL MINIMUM BEST MANAGEMENT PRACTICE REQUIREMENTS FOR COMMERCIAL ACTIVITIES AND FACILITIES.

- (b) High Priority Commercial Facilities Identified.
- (3) The facility is a Regulated Commercial Facility and has been notified in writing by an Authorized Enforcement Official or Authorized Enforcement Staff that it is a High Priority Commercial Facility. Such designations shall take effect 90 days after mailing or service of this notice. These designations shall be made where the facility discharges a pollutant load in storm water or runoff that causes or contributes to the violation of water quality standards.

AWM/SW 1402 (09/03)

INSPECTION TYPE

☐ ANNUAL ☐ REFERRAL
☐ REINSPECT ☒ COMPLAINT

IF REINSPECTION ORIG INSPECTION NO

NURSERY / GREENHOUSE / CAFO

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES

BMP REQUIREMENTS AND STANDARDS FOR ALL

COMMERCIAL FACILITIES & ACTIVITIES

BUSINESS NAME

ARMSTRONG EGGERANCH

BUSINESS MAILING ADDRESS

PROPERTY LOCATION

N. Lake Wohlford Rd., Valley Center

OFFICE USE ONLY

(b) (6)

(b)(5) DELIBERATIVE

ERY	INSE NUMBER
-----	-------------

PERMIT/OP ID NUMBER

NURSER

HYDRO SUB-UNIT

COMPLAINT INFO		71. Residential Manual & Pak Washt	107-888g			
		72.				
		73.				

NATURE OF COMPLAINT <input checked="" type="checkbox"/> Runoff <input type="checkbox"/> Manure <input type="checkbox"/> Irrigation <input type="checkbox"/> Other				NON-COMPLIANCES <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		TOTAL 02
--	--	--	--	--	--	-----------------

DOCUMENTS PROVIDED:		The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by: / /
<input type="checkbox"/> TRAINING MANUAL <input type="checkbox"/> ENG <input type="checkbox"/> SP	<input type="checkbox"/> TRAINING DOCUMENT FORM <input type="checkbox"/> EQUESTRIAN RELATED BMPs <input type="checkbox"/> WPO Sec 67811 et seq.	
<input type="checkbox"/> CORRECTIVE ACTION FORM <input type="checkbox"/> HORSE OWNERS GUIDE		

INSPECTION COSTS:		* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection.	
INSPECTION HOURS <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> @	<input type="checkbox"/> \$60 per hour INSPECTION <input type="checkbox"/> \$90 per hour RE-INSPECTION	= \$	<div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block;"></div> .00
		PLEASE CALL: (858) _____	

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR	NESTOR SILVA	SIGNATURE	<i>N Silva</i>	INSP #	72	TIME (MILITARY)	1300	DATE INSPECTED	07/10/01	2007
PRINT	JAVIER MONCADA	SIGNATURE	<i>Javier Moncada</i>	DATE ACKNOWLEDGED	1	1				

Distribution: Whole County

Tenancy - Firm/Person Inspected

Pink - Inspector

8724445318

REVISÉD 06/01/2005

(760) 822-8390 ⁸⁷²

CONFIDENTIAL



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW0

Business Name: Armstrong Egg Ranch (Allan Armstrong, Manager)		Inspection Number: 1402-0276	Contact Person: Ramon Hernandez (Complainant)	
Site Address: 27431 N Lake Wohlford Road		(b) (6)		
City: Valley Center	Zip: 92082	HSU # 903.15	Complaint Re-inspection <input checked="" type="checkbox"/>	Date: July 6, 2007

ADDITIONAL REMARKS:

On July 6, 2007 I, Nestor Silva, Inspector with the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program, responded to a waste water runoff complaint against Armstrong Egg Ranch of 27431 N Lake Wohlford Road, Valley Center. Javier Moncada, the horse caretaker of Ramon Hernandez, the complainant, was present at the time of inspection.

I called Ramon Hernandez, the complainant and told him that I will be visiting his property on North Lake Wohlford Road on that day. Hernandez said that his caretaker will meet me and show me waste water runoff from their neighbor.

At around 1:00 pm, I met Javier Moncada at the horse property across the street from the Armstrong Egg Ranch's main entrance on North Lake Wohlford Road in Valley Center. Javier Moncada showed me the waste water that flows from Armstrong Egg Ranch into Ramon Hernandez's property. There was a constant flow of waste water westward that crosses Hernandez's property and onto the next. The water exudes an odor similar to fresh chicken manure. According to Javier Moncada, that problem had been going on for about two weeks. Javier Moncada expressed concern about the water's bad smell and the possible disease the water might bring to the horses.

I took pictures of the waste water running from Armstrong Egg Ranch into Ramon Hernandez's property. I told Javier Moncada that I will inform Armstrong Egg Ranch about the problem and work on finding a solution on preventing it from happening again. Javier Moncada signed my inspection form at 1:50 pm.

After my meeting with Javier Moncada, I called Allan Armstrong at (760) 749-1058 and left a message to return my call to discuss their runoff problem.

The following Monday, July 9, 2007 at 11:40 am, Alan Armstrong called me and said that he was aware of the situation and will fix the problem right away. He said that the problem should be fixed by Tuesday. We set an appointment to inspect the site on Wednesday morning, July 11, 2007.

Documents Provided:

Training Documentation Form ☐
Training Manual: English ☐ Spanish ☐
Corrective Action Form ☐

Inspection Fee Summary:

Inspection Hrs 0.5 @ 60.00/hr = \$30.00
Report Hrs 0.5 @ 60.00/hr = \$30.00
Total Inspection Fees Paid = \$60.00

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN THE COUNTY OF SAN DIEGO WATERSHED PROTECTION, STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE SECTION 67.825. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION. PLEASE CALL (858) 571-4262 FOR RE-INSPECTION WITHIN DAYS.

I HAVE READ AND UNDERSTAND THE ADDITIONAL REMARKS LISTED ABOVE		INSPECTOR NESTOR SILVA	BADGE # 72
INSPECTION ACKNOWLEDGED BY (PRINT)	TITLE	SIGNATURE	DATE

WEBSITE: WWW.SDCAWM.ORG

1402 0870

OFFICE USE ONLY	BUSINESS NAME		TELEPHONE NUMBER		STORMWATER REGISTRATION NO.	
	ARMSTRONG, EGG RANCH		(b) (6)		37SW	
	BUSINESS MAILING ADDRESS		PERMIT/OP ID NUMBER		NURSERY LICENSE NUMBER	
	PROPERTY LOCATION					HYDRO SUB-UNIT
	27431 N Lake Wohlford Road, Valley Center 92082					903.15

BMP STANDARDS		Section	COMPLIANCE			BMP STANDARDS		Section	COMPLIANCE		
			YES	NO	N/A				YES	NO	N/A
1. Removal of Eroded Soils from Disturbed Slopes	B.2.2.1					37. Maintenance / Repair Area Drains Protected	C.3.2.2.a				
2. Illegal Discharge Practices Eliminated	B.2.4.1					38. Maintenance / Repair Spill Precautions	C.3.2.2.b				
3. Slopes >250 sq ft Protected from Erosion	B.2.5.1					39. Retired Vehicle Fluids Drained	C.3.2.2.d				
4. Materials / Waste Storage	B.2.6.1					40. Maintenance / Repair Area Dry Cleaning	C.3.2.2.e				
5. No Rinsate to Conveyance / Receiving Waters	B.2.7.1					41. Maintenance / Repair Drip Pans	C.3.2.2.f				
6. Annual Training Provided	C.2.1.1					42. Wash Area Precautions	C.3.2.3.a				
7. Annual Training Documented	C.2.1.2					43. Wash Area Drain Plumbed to Sewer	C.3.2.3.b				
8. Annual Review of Facilities and Training	C.2.4.1					44. Wash Water Infiltration	C.3.2.3.c				
9. P2 - Pollution Prevention Practices Implemented	C.2.6.1					45. Wash Water Contained for Treatment	C.3.2.3.d				
10. Hazmat & Waste: Storage/Manage/Disposal	C.2.6.1.a					46. Stored Equipment Bermed and Covered	C.3.2.4.b				
11. Hazardous Materials Storage Practices	C.2.6.1.b					47. Rooftop Downspout Routing	C.3.3.1.e				
12. Drums & Containers: Good Condition / Closed	C.2.6.1.c					48. Parking Area Trash Cans Provided	C.3.3.2.a				
13. Hazmat Storage Spill Kit	C.2.6.1.d					49. Parking Area Vehicle Storage	C.3.3.2.b				
14. Trash Area Clean & Free of Debris	C.2.6.2.a					50. Parking Area Leaks and Spills Cleaned	C.3.3.2.c				
15. Dumpsters Closed and Maintained	C.2.6.2.b					51. Parking Area Stored Materials Bermed	C.3.3.2.d				
16. Loading / Unloading Area Spills / Leaks	C.2.6.3.b					52. Soil, Fertilizer, Potting Materials Covered	C.3.3.3.g				
17. Load/Unload Area Inspected & Waste Removed	C.2.6.3.c					53. Maintenance / Repair in Designated Areas	C.4.1.1				
18. Loading / Unloading Area Spill Kit	C.2.6.3.d					54. Containers: Good Condition, Closed, Protected	C.4.9.1				
19. Fueling Area Spill Kit	C.2.7.1.b					55. IPM Practices Used	C.4.9.2				
20. Maintenance / Repair Area Spill Prevention	C.2.7.2.a					56. Application Equipment Maintained	C.4.9.3				
21. Maintenance / Repair Area Spill Kit	C.2.7.2.b					57. Chemicals-Use and Disposal (Laws/Regs)	C.4.9.4				
22. Wash Area Drains Protected	C.2.7.3.a					58. Chemicals-Use and Disposal (Label/MSDS)	C.4.9.5				
23. Soaps / Degreasers Reduced or Eliminated	C.2.7.3.b					59. Chemicals Labeled, Undercover & Off Ground	C.4.9.6				
24. Outdoor Equipment Storage Spill Containment	C.2.7.4.a					60. Appropriate Fertilizer Application Methods	C.4.9.7				
25. Outdoor Equipment Storage Area Spill Kit	C.2.7.4.b					61. Stockpiles Bermed, Covered	C.4.9.10				
26. Landscape - Over Application Precaution	C.2.8.3.a					62. Work Areas Cleaned	C.4.9.11				
27. Landscape - Prevent Over Irrigation	C.2.8.3.b					63. Equestrian Wash Racks	C.4.20				
28. Litter, Debris, etc. Collected and Disposed	C.2.8.3.d					STORMWATER ORDINANCE		Ordinance			
29. Secondary Containment	C.3.1.1.a					64. Discharge Prohibitions	67.805				
30. Hazmat Storage Area Inspected	C.3.1.1.b					65. BMP Regs Applicable to all Dischargers	67.807				
31. Trash Areas Inspected Weekly	C.3.1.2.a					66. BMP Regs for Commercial Activities and Facility	67.809				
32. Loading and Unloading Areas Dry Cleaned	C.3.1.3.a					67. BMP Regs for Agricultural Operations	67.811				
33. Loading and Unloading Area Drains Protected	C.3.1.3.c					68. Regs for Land Disturbance Activities	67.817				
34. Loading and Unloading Equipment Maintained	C.3.1.3.d					69. Regs for Land Development and Redevelopment	67.818				
35. Drains Protected in Fueling Area	C.3.2.1.a					70. Maintenance of BMPs	67.819				
36. Designated Fueling Area	C.3.2.1.b										

COMPLAINT-INFO

NATURE OF COMPLAINT ☒ Runoff ☐ Manure ☐ Irrigation ☐ Other

DOCUMENTS PROVIDED:

- ☐ TRAINING MANUAL ☐ TRAINING DOCUMENT FORM ☐ CORRECTIVE ACTION FORM
☐ ENG ☐ EQUESTRIAN RELATED BMPs ☐ HORSE OWNERS GUIDE
☐ SP ☐ WPO Sec 67811 et seq.

INSPECTION COSTS:

INSPECTION HOURS

INSPECTION HOURS @ ☐ \$60 per hour INSPECTION
☐ \$90 per hour RE-INSPECTION = \$.00

The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by:

		/		/				
--	--	---	--	---	--	--	--	--

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection.

PLEASE CALL: (858) 967-9055

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR		INSP #		TIME (MILITARY)		DATE INSPECTED	
PRINT	NESTOR SILVA	SIGNATURE	<i>N Silva</i>	72	1015	07/11/12	20
INSPECTION ACKNOWLEDGED BY:		SIGNATURE		DATE ACKNOWLEDGED			
PRINT		SIGNATURE	<i>Alan R...</i>				

Distribution: White County

Canary - Firm/Person Inspected

Pink - Inspector

8724445318

REVISÉD 06/01/2005

[illegible]

5555 OVERLAND AVENUE, SUITE 3101 SAN DIEGO, CALIFORNIA 92123-1256

Page 1 of 1

Name: Armstrong Egg Ranch		Date Issued: July 11, 2007	Time:
Mailing Address: 27431 N Lake Wohlford Road		Date Occurred: July 6, 2007	Time:
City/State/Zip Code: Valley Center		Phone: (760) 749-1058	
Site Location:		City/Zip Code: 92082	
NATURE of CONTACT <input type="checkbox"/> Inspection <input type="checkbox"/> Re-inspection		<input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Drive by <input type="checkbox"/> Internal Referral <input type="checkbox"/> External Referral <input type="checkbox"/> Other Explain:	
BUSINESS TYPE <input type="checkbox"/> Nursery/Greenhouse <input type="checkbox"/> Golf Course		<input type="checkbox"/> Cemetery <input type="checkbox"/> Grove <input type="checkbox"/> Field Agriculture <input type="checkbox"/> Ag. Pest Control <input type="checkbox"/> Structural Pest Control <input type="checkbox"/> Equestrian <input checked="" type="checkbox"/> Other Egg Ranch	

BUSINESS		License #	License #		INDIVIDUAL		License #
<input type="checkbox"/>	Nursery or Greenhouse	<input type="checkbox"/>	Restricted Material Permit	<input type="checkbox"/>	Certified Qualified Applicator		
<input type="checkbox"/>	Ag Pest Control Business	<input type="checkbox"/>	Maintenance Gardener	<input type="checkbox"/>	Licensed Qualified Applicator		
<input type="checkbox"/>	Struct Pest Control Operator	<input checked="" type="checkbox"/>	Other: Egg Ranch	<input type="checkbox"/>	Licensed Structural Applicator		
<input type="checkbox"/>	OPID or Site Id Number		Explain	<input type="checkbox"/>	Private Applicator		
<input type="checkbox"/>	Pesticide Dealer			<input type="checkbox"/>	Other Explain		

Watershed Protection Ordinance	Section 67.805 (a) and (b)
Stormwater Standards Manual	

On July 6, 2006 during a complaint investigation of waste water runoff from Armstrong Egg Ranch located at 27431 N Lake Wohlford Road, Valley Center, I observed water leaving the egg ranch, entering stormwater conveyance system and crossing the property across N Lake Wohlford Road (APN 1891804400). This is a violation of the San Diego County Watershed Protection, Stormwater Management and Discharge Control Ordinance Section 67.805 (a) and (b).

CEASE AND DESIST

Pursuant to Watershed Protection, Stormwater Management and Discharge Control Ordinance Section 67.823 (a)(2)

THESE VIOLATIONS SUBJECT YOU TO PENALTIES AS PROVIDED FOR BY
THE WATERSHED PROTECTION, STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE
THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION

The Notified Person's Signature is not an admission of guilt or a promise to appear

x Alan Armstrong

x Alan W. [Signature]

NOTIFIED PERSON'S PRINTED NAME AND TITLE

NOTIFIED PERSON'S SIGNATURE

This is to certify that all functions recorded hereon were performed in accordance with applicable laws and regulations.

Nestor Silva # 72

Norton Silver 7-11-07
ENFORCING OFFICER'S SIGNATURE

FORCING OFFICER'S PRINTED NAME AND BADGE NO.

ENFORCING OFFICER'S SIGNATURE

VIOLATION DELIVERED: ☐ In Person Date: _____ ☐ Certified Mail # _____ Date: _____
AWM 035A (7/05)

~~SECRET~~

COUNTY OF SAN DIEGO
WATER QUALITY
COMPLIANCE INSPECTION
AWMSW 1402 (0803)
WEBSITE: WWW.SDCAWM.ORG

INSPECTION TYPE
☐ ANNUAL ☐ REFFERAL
☐ REINSPECT ☒ COMPLAINT
"IF REINSPECTION" ORIG INSPECTION NO
[] [] [] [] [] []

1402 0828
NURSERY / GREENHOUSE / CAFO
DEPARTMENT OF AGRICULTURE, WEEDS AND PESTS
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES ACTIVITIES

OFFICE USE ONLY
BUSINESS NAME: A.R.M.S.T.R.O.N.G. EGG RANCH
BUSINESS MAILING ADDRESS: (b) (6)
TELEPHONE NUMBER: [] [] [] [] [] [] [] []
STORMWATER REGISTRATION NO: 37SW
PERMIT / OP ID NUMBER: [] [] [] [] [] [] [] []
NURSERY LICENSE NUMBER: [] [] [] [] [] [] [] []
HYDRO SUB-UNIT: 92082 903.15

BMP STANDARDS		Section	YES	NO	N/A	BMP STANDARDS		Section	YES	NO	N/A
1. Removal of Eroded Soils from Disturbed Slopes	B.2.2.1					37. Maintenance / Repair Area Drains Protected	C.3.2.2.a				
2. Illegal Discharge Practices Eliminated	B.2.4.1					38. Maintenance / Repair Spill Precautions	C.3.2.2.b				
3. Slopes > 250' sq ft Protected from Erosion	B.2.5.1					39. Retired Vehicle Fluids Drained	C.3.2.2.d				
4. Materials / Waste Storage	B.2.6.1					40. Maintenance / Repair Area Dry Cleaning	C.3.2.2.e				
5. No Rinsate to Conveyance / Receiving Waters	B.2.7.1					41. Maintenance / Repair Drip Pans	C.3.2.2.f				
6. Annual Training Provided	C.2.1.1					42. Wash Area Precautions	C.3.2.3.a				
7. Annual Training Documented	C.2.1.2					43. Wash Area Drain Plumbed to Sewer	C.3.2.3.b				
8. Annual Review of Facilities and Training	C.2.4.1					44. Wash Water Infiltration	C.3.2.3.c				
9. P2 Pollution Prevention Practices Implemented	C.2.5.1					45. Wash Water Contained for Treatment	C.3.2.3.d				
10. Hazmat & Waste Storage/Manage/Disposal	C.2.6.1.a					46. Stored Equipment Bermed and Covered	C.3.2.4.b				
11. Hazardous Materials Storage Practices	C.2.6.1.b					47. Rooftop Downspout Routing	C.3.3.1.c				
12. Drums & Containers: Good Condition / Closed	C.2.6.1.c					48. Parking Area Trash Cans Provided	C.3.3.2.a				
13. Hazmat Storage Spill Kit	C.2.6.1.d					49. Parking Area Vehicle Storage	C.3.3.2.b				
14. Trash Area Clean & Free of Debris	C.2.6.2.a					50. Parking Area Leaks and Spills Cleaned	C.3.3.2.c				
15. Dumpsters Closed and Maintained	C.2.6.2.b					51. Parking Area Stored Materials Bermed	C.3.3.2.d				
16. Loading / Unloading Area Spills / Leaks	C.2.6.3.b					52. Soil, Fertilizer, Potting Materials Covered	C.3.3.3.g				
17. Load/Unload Area Inspected & Waste Removed	C.2.6.3.c					53. Maintenance / Repair in Designated Areas	C.4.1.1				
18. Loading / Unloading Area Spill Kit	C.2.6.3.d					54. Containers: Good Condition, Closed, Protected	C.4.9.1				
19. Fueling Area Spill Kit	C.2.7.1.b					55. IPM Practices Used	C.4.9.2				
20. Maintenance / Repair Area Spill Prevention	C.2.7.2.a					56. Application Equipment Maintained	C.4.9.3				
21. Maintenance / Repair Area Spill Kit	C.2.7.2.b					57. Chemicals-Use and Disposal (Laws/Regs)	C.4.9.4				
Wash Area Drains Protected	C.2.7.3.a					58. Chemicals-Use and Disposal (Label/MSDS)	C.4.9.5				
Soaps / Degreasers Reduced or Eliminated	C.2.7.3.b					59. Chemicals Labeled, Undercover & Off Ground	C.4.9.6				
24. Outdoor Equipment Storage Spill Containment	C.2.7.4.a					60. Appropriate Fertilizer Application Methods	C.4.9.7				
25. Outdoor Equipment Storage Area Spill Kit	C.2.7.4.b					61. Stockpiles Bermed, Covered	C.4.9.10				
26. Landscape Over Application Precaution	C.2.8.3.a					62. Work Areas Cleaned	C.4.9.11				
27. Landscape Prevent Over Irrigation	C.2.8.3.b					63. Equestrian Wash Racks	C.4.20				
28. Litter, Debris, etc. Collected and Disposed	C.3.1.1.d					STORMWATER ORDINANCE		Ordinance			
29. Secondary Containment	C.3.1.1.a					64. Discharge Prohibitions	67.805				
30. Hazmat Storage Area Inspected	C.3.1.1.b					65. BMP Regs Applicable to all Dischargers	67.807				
31. Trash Areas Inspected Weekly	C.3.1.2.a					66. BMP Regs for Commercial Activities and Facility	67.809				
32. Loading and Unloading Areas Dry Cleaned	C.3.1.3.a					67. BMP Regs for Agricultural Operations	67.811				
33. Loading and Unloading Area Drains Protected	C.3.1.3.c					68. Regs for Land Disturbance Activities	67.817				
34. Loading and Unloading Equipment Maintained	C.3.1.3.d					69. Regs for Land Development and Redevelopment	67.818				
35. Drains Protected in Fueling Area	C.3.2.1.a					70. Maintenance of BMPs	67.819				
36. Designated Fueling Area	C.3.2.1.b					71. Residential Manure & Pet Waste	67.808g				

COMPLAINT INFO
NATURE OF COMPLAINT ☐ Runoff ☐ Manure ☐ Irrigation ☐ Other
DOCUMENTS PROVIDED:
☐ TRAINING MANUAL ☐ TRAINING DOCUMENT FORM ☐ CORRECTIVE ACTION FORM
☐ ENG ☐ EQUESTRIAN RELATED BMPs ☐ HORSE OWNERS GUIDE
☐ SP ☐ WPO Sec 67811 et seq.

INSPECTION COSTS:
INSPECTION HOURS [] [] [] @ \$60 per hour INSPECTION = \$ [] [] [] .00
\$90 per hour RE-INSPECTION = \$ [] [] [] .00

NON-COMPLIANCES ☒ YES ☐ NO TOTAL 02
The section numbers marked "NO" above are in violation of the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance. All non-compliances must be corrected by: [] [] [] [] [] [] [] []

* You must CORRECT all NON-COMPLIANCES and call for re-inspection. Fees for these re-inspections are \$90.00 per hour, and will be payable at time of reinspection.
PLEASE CALL: (858)

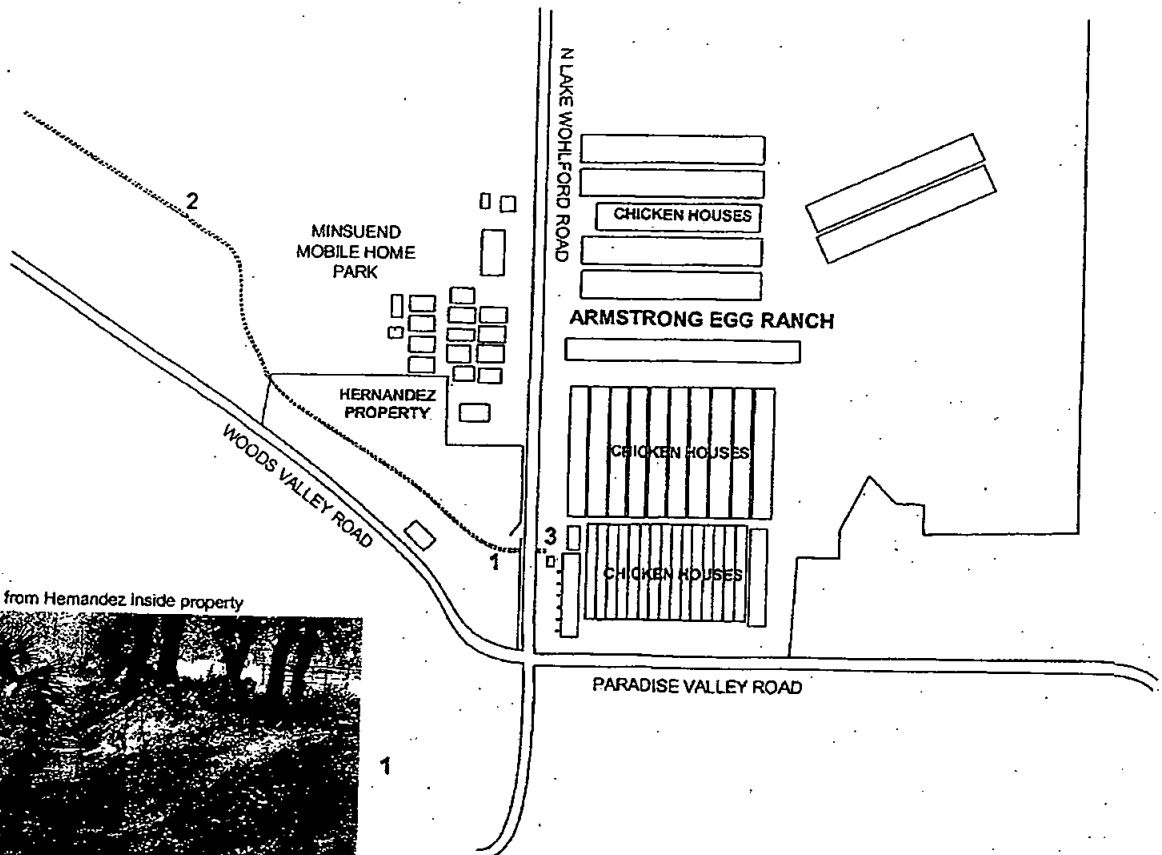
ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR: NESTOR SILVA
SIGNATURE: [Signature]
INSP # 72
TIME (MILITARY) [] [] [] []
DATE INSPECTED 07/30/2007
INSPECTION ACKNOWLEDGED BY: [Signature]
DATE ACKNOWLEDGED [] [] [] []

Distribution: White - County Canary - Firm/Person Inspected Pink - Inspector

REVISED 06/01/2005

8724475218

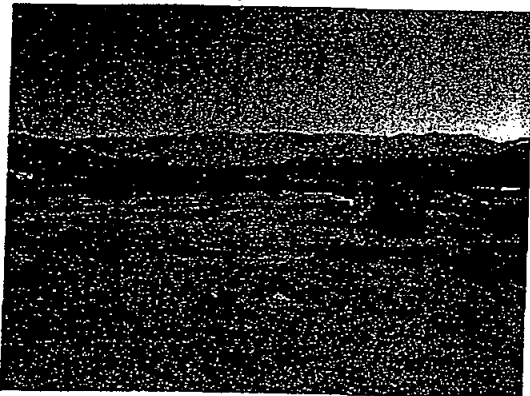


View from Hernandez inside property



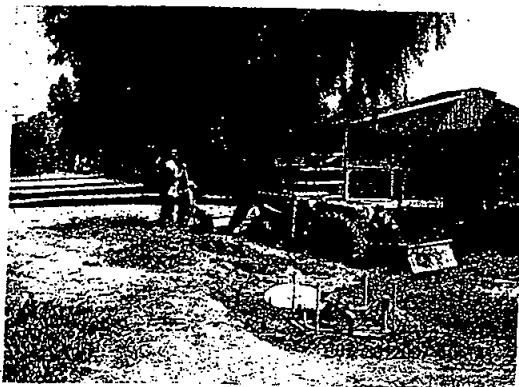
1

Waste water flows from Armstrong Egg Ranch through the stormwater culvert under the street and into Hernandez property.



2

Depending on the amount of runoff, waste water can reach two more parcels of land west of Hernandez property.



3

Two men cleaning the channel to the septic receptacle.



County of San Diego
Water Quality Compliance Inspection
AWMSW 1402b (01/03)

DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES
BMP REQUIREMENTS AND STANDARDS FOR ALL
COMMERCIAL FACILITIES & ACTIVITIES

STORMWATER REGISTRATION NO 37SW0

Business Name: Armstrong Egg Ranch (Alian Armstrong, Manager)		Inspection Number:		Contact Person: Ramon Hernandez (Complainant)	
Site Address: (b) (6)				Phone: (b) (6)	
City: Valley Center	Zip: 92082	HSU # 903.15	Complaint Re-Inspection <input type="checkbox"/>	Date: July 30, 2007	

ADDITIONAL REMARKS:

On July 30, 2007 I, Nestor Silva, Inspector with the San Diego County Department of Agriculture Weights and Measures, Agricultural Water Quality Program, responded to a waste water runoff complaint against Armstrong Egg Ranch located at 27023 N Lake Wohlford Road, Valley Center.

The complaint was a follow up on the illegal discharge and illicit connection violations issued by AWQ last July 11, 2007. The complainant, Ramon Hernandez left a voice message on my phone on July 29, 2007, Sunday, informing me of the discharge of waste water from Armstrong Egg Ranch. According to Ramon Hernandez, the egg ranch seemed to have waited for the weekend to discharge wash water from their chicken houses since no inspector could respond to take a look at the situation.

I arrived by Ramon Hernandez's property along Woods Valley Road, Valley Center at around 9:30 a.m. Looking from Woods Valley Road, I observed that the channel that goes through Hernandez's property and to the adjoining property had been recently used to convey water. The ground where the alleged wash finally water ended were distinctly green compared to the immediate surroundings. I took pictures of the stormwater channel along Hernandez's property and his neighbor.

I drove to Armstrong Egg Ranch. I inspected the source of the alleged discharge in front of Armstrong Egg Ranch's gate on 27023 N Lake Wohlford Road. There was a small amount of standing water on the stormwater channel that goes through the culvert under the street. I then went inside Hernandez's property whose gate had been previously unlocked for me by his caretaker. I walked along the stormwater channel and observed areas of standing water.

When I walked out of the gate I saw two men across the street working in front of Armstrong Egg Ranch. They were cleaning the canal that feeds waste water to the septic receptacle. The sprinklers between the chicken house and Lake Wohlford Road were turned on, watering the ice plants on the landscape. I approached the men and asked them if they discharged waste water the previous day. The person with the name "Ismael" embroidered on his shirt told me in broken English that he does not know. I asked his opinion how effective their water recovery system works. He responded by saying that he can't express himself in English very well but added that they clean that canal everyday.

On the way back to my truck, Ramon Hernandez called me again. We discussed what I observed on my inspection. He said that the water recovery system that Armstrong Egg Ranch installed by their front gate was very ineffective. Hernandez described Armstrong's waste water discharge event as flowing like a river during a heavy rain. Hernandez told me that it would have been acceptable if the water they were discharging was the result of runoff from cooling the chicken roof tops with water on a hot day. Hernandez said that the water they discharged that weekend was murky and smelled bad. He added that it wasn't even that hot that Sunday.

I told Ramon Hernandez that AWQ will refer the case to DPW for a possible violation citation.

See illustration and pictures next page.

Documents Provided:

Training Documentation Form ☐
Training Manual: English ☐ Spanish ☐
Corrective Action Form ☐

Inspection Fee Summary:

Inspection Hrs 0.0 @ 60.00/hr = \$0.00
Report Hrs 0.0 @ 60.00/hr = \$0.00
Total Inspection Fees Paid = \$0.00

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN THE COUNTY OF SAN DIEGO WATERSHED PROTECTION, STORMWATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE SECTION 67.825. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION. PLEASE CALL (858) 571-4262 FOR RE-INSPECTION WITHIN ____ DAYS.

I HAVE READ AND UNDERSTAND THE ADDITIONAL REMARKS LISTED ABOVE		INSPECTOR NESTOR SILVA		BADGE # 72	
INSPECTION ACKNOWLEDGED BY (PRINT)		TITLE		SIGNATURE	
				DATE	

0000000000

COUNTY OF SAN DIEGO
DEPARTMENT OF AGRICULTURE
WEIGHTS & MEASURES
5555 Overland Ave. Ste. 3101
San Diego, CA 92123
Office- 858-694-8980
Fax- 858-694-3845

WEBSITE: WWW.SDCAWM.ORG



WATER QUALITY
COMPLIANCE INSPECTION

1405 0575

FACILITY TYPE
☐ NUR/GH ☐ CEM
☒ ANIMAL ☐ PCB
☐ GOLF ☐ OTHER
☐ IRRIGATED AG

INSPECTION TYPE
☒ ANNUAL ☐ DOCS RECD/RE-
☐ REINSPECT ☐ COMPLAINT
"IF REINSPECTION" ORIG INSPECTION NO
[] [] [] - [] [] []

BUSINESS NAME: ARMSTRONG FARMS, INC. STORMWATER REGISTRATION NO: 37SW1065
PROPERTY LOCATION: 27023 N. Lake Whitford Road, Valley Center 92082
BUSINESS MAILING ADDRESS: PO Box 2299 Valley Center 92082 TELEPHONE NUMBER: (760) 749-1058
HYDRO SUB-UNIT: [] [] # ACRES: [] [] # ANIMALS: [] []
Site is within 200' of: Conveyance/MS4 ☒ ESA ☐ 303d ☐ Waterbody ☐

POLLUTION PREVENTION - REDUCE, REUSE, RECYCLE

START TIME 10:00

☐ WATER ☐ GREENWASTE ☐ CHEMICAL ☐ PLASTIC ☐ OILS
☐ METAL ☐ MANURE ☐ FERTILIZER ☐ ENERGY ☐ ANTI-FREEZE SKA [] []

INSPECTION REQUIREMENTS

DISCHARGE PROHIBITIONS		COMPLIANCE		BMP BUSINESS ACTIVITIES		COMPLIANCE	
Unauthorized Discharges Eliminated/Absent	67.804 (a)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Training Provided & Documented	67.808(a)(1)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Unauth. Connections Eliminated/Absent	67.804 (b)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Annual Review Completed & Doc	67.808(a)(4)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Litter Dumps & Stockpiles Properly Managed	67.804 (c)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Houskeeping Conducted	67.808(a)(6)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sediment Discharges Controlled	67.804 (d)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Liquid Waste Managed	67.808(a)(7)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
GENERAL REQUIREMENTS				Spill Prevention Implemented	67.808(a)(8)(A)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Eroded Soils Removed - Secured	67.806(a)(1)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	HazMat Off Ground & Covered	67.808(a)(8)(B)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pollution Prevention Implemented	67.806(a)(2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Secondary Containment Provided	67.808(a)(8)(B)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Unauthorized Connections Eliminated	67.806(a)(3)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Trash & Livestock Areas Maintained	67.808(a)(8)(C)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Slopes Protected & Maintained	67.806(a)(4)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicles & Equipment Managed	67.808(a)(9)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Materials & Wastes Properly Stored	67.806(a)(5)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Grounds, Parking, Roof BMPs in Place	67.808(a)(10)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Soil, Greenwaste, Compost Managed	67.806(a)(6)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ESA & 303 (d) Requirements	67.808(b)(2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Materials Used According to Label	67.806(a)(7)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Other <u>67.804 (c) BMP maintenance</u>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dry Cleanup Methods Used	67.806(a)(8)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	NOTICE OF VIOLATION: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>			
BMPs Functioning & Maintained	67.806 (e)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Correct Violations by: <u>08/28/2008</u>			
SWPPP REC'D <input checked="" type="checkbox"/>							

CITATION TYPE: ☒ N/A ☐ WARNING ☐ 1ST ☐ 2ND ☐ 3RD ☐ 4TH & SUBSEQUENT CITATIONS

INSPECTOR NOTES

At the time of inspection, the main gate area and the area behind house #5 need to address the following:

67.804 (a) eliminate unauthorized discharge

67.804 (b) eliminate unauthorized connections

67.804 (c) Maintain BMP

Clean up the storm drain on north side of house #5

INSPECTION HOURS & FEES:

1.0 @ ☒ \$60 per hour INSPECTION = \$ 60.00
☐ \$90 per hour RE-INSPECTION

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN CHAPTER 1, DIVISION 8, OF TITLE 1 OF THE COUNTY CODE OF REGULATORY ORDINANCES. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION.

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR: NESTOR SILVA SIGNATURE: Nestor Silva INSP # 72 TIME (MILITARY) 1105 DATE INSPECTED OR DOCUMENTS REVIEWED: 07/28/2008
INSPECTION ACKNOWLEDGED BY: Alan Armstrong SIGNATURE: Alan Armstrong DATE ACKNOWLEDGED: 7/28/2008

Distribution: White - County

Canary - Firm/Person Inspected

Pink - Inspector

AWMSW 1405 (04/08)

6340463826

COUNTY OF SAN DIEGO
DEPARTMENT OF AGRICULTURE
WEIGHTS & MEASURES
5555 Overland Ave. Ste. 3101
San Diego, CA 92123
Office- 858-694-8980
Fax- 858-694-3846
WEBSITE: WWW.SDCAWM.ORG



WATER QUALITY
COMPLIANCE INSPECTION

1405 0576

FACILITY TYPE
☐ NUR/GH ☐ CEM
☒ ANIMAL ☐ PCB
☐ GOLF ☐ OTHER
☐ IRRIGATED AG

INSPECTION TYPE
☐ ANNUAL ☐ DOCS RECD/REVD
☐ REINSPECT ☒ COMPLAINT
IF REINSPECTION ORIG INSPECTION NO
[] [] [] [] - [] [] [] []

BUSINESS NAME

ARMSTRONG FARMS, INC.

STORMWATER REGISTRATION NO

37SW1065

(b) (6)

BUSINESS MAILING ADDRESS

PO BOX 2299 Valley Center 92082

TELEPHONE NUMBER

HYDRO SUB-UNIT

ACRES

ANIMALS

Site is within 200' of: Conveyance/MS4 ☒ ESA ☐ 303d ☐ Waterbody ☐

POLLUTION PREVENTION - REDUCE, REUSE, RECYCLE

START TIME

☐ WATER ☐ GREENWASTE ☐ CHEMICAL ☐ PLASTIC ☐ OILS
☐ METAL ☐ MANURE ☐ FERTILIZER ☐ ENERGY ☐ ANTI-FREEZE

SKA [] []

INSPECTION REQUIREMENTS

DISCHARGE PROHIBITIONS		BMP - BUSINESS ACTIVITIES	
Unauthorized Discharges Eliminated/Absent	67.804 (a)	Training Provided & Documented	67.808(a)(1)
Unauthorized Connections Eliminated/Absent	67.804 (b)	Annual Review Completed & Doc	67.808(a)(4)
Litter Dumps & Stockpiles Properly Managed	67.804 (c)	Houskeeping Conducted	67.808(a)(6)
Sediment Discharges Controlled	67.804 (d)	Liquid Waste Managed	67.808(a)(7)
GENERAL REQUIREMENTS		Spill Prevention Implemented	67.808(a)(8)(A)
Eroded Soils Removed - Secured	67.806(a)(1)	HazMat Off Ground & Covered	67.808(a)(8)(B)
Pollution Prevention Implemented	67.806(a)(2)	Secondary Containment Provided	67.808(a)(8)(B)
Unauthorized Connections Eliminated	67.806(a)(3)	Trash & Livestock Areas Maintained	67.808(a)(8)(C)
Areas Protected & Maintained	67.806(a)(4)	Vehicles & Equipment Managed	67.808(a)(9)
Materials & Wastes Properly Stored	67.806(a)(5)	Grounds, Parking, Roof BMPs in Place	67.808(a)(10)
Soil, Greenwaste, Compost Managed	67.806(a)(6)	ESA & 303 (d) Requirements	67.808(b)(2)
Materials Used According to Label	67.806(a)(7)	Other: Failure to maintain BMP	67.808(b)(2)
Dry Cleanup Methods Used	67.806(a)(8)	NOTICE OF VIOLATION: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
BMPs Functioning & Maintained	67.806 (e)	Correct Violations by: [] / [] / []	
SWPPP REC'D <input type="checkbox"/>			
CITATION TYPE: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> WARNING <input type="checkbox"/> 1ST <input type="checkbox"/> 2ND <input type="checkbox"/> 3RD <input type="checkbox"/> 4TH & SUBSEQUENT CITATIONS			

INSPECTOR NOTES

67.804(a), 67.804(b) & 67.804(c)

Dirty water was observed leaving the Armstrong Farms' front gate onto the culvert that goes under Lake Wolford Road and entering the private property located across the street from Armstrong Farms.

INSPECTION HOURS & FEES:

[] [] [] @ \$60 per hour INSPECTION = \$ [] [] [] .00
[] [] [] @ \$90 per hour RE-INSPECTION

THE VIOLATIONS NOTED ABOVE REQUIRE YOUR IMMEDIATE ATTENTION. CONTINUED NON-COMPLIANCE MAY SUBJECT YOU TO PENALTIES AS PROVIDED FOR IN CHAPTER 1, DIVISION 8, OF TITLE 1 OF THE COUNTY CODE OF REGULATORY ORDINANCES. THESE AND FUTURE VIOLATIONS MAY RESULT IN LEGAL ACTION.

ACKNOWLEDGEMENT OF INSPECTION

INSPECTOR	SIGNATURE	INSP #	TIME (MILITARY)	DATE INSPECTED OR DOCUMENTS REVIEWED
NESTOR SILVA	[Signature]	[]	[]	06/18/2008
LOCATION ACKNOWLEDGED BY:	SIGNATURE	DATE ACKNOWLEDGED		
[]	[]	[] / [] / []		

Distribution: White -County

Canary -Firm/Person Inspected

Pink -Inspector

AWMSW 1405 (04/08)

6340463826

Conditional Waiver No. 3 – Discharges from Animal Operations

Conditional Waiver No. 3 is for discharges from animal operations, which contain pollutants that can percolate to groundwater or runoff to surface waters. Discharges from animal operations include discharges resulting from animal activities and wastes, and storm water runoff which can also transport pollutants from animal operations to surface waters and groundwater.

The following types of discharge not regulated or authorized under WDRs may be eligible for Conditional Waiver No. 3:

- Discharges from small animal feeding operations (less than 300 animal units, where 1 animal unit is equivalent to 1 cow or 1,000 animal pounds)
- Discharges from medium animal feeding operations (300 to 999 animal units)
- Discharges of storm water runoff
- Discharges of manure to composting operations
- Discharge/application of manure to soil as an amendment or mulch
- Discharges from grazing lands

Discharges from animal operations can be significant sources of sediment, nutrients, and pathogens (i.e., bacteria, viruses, protozoa), which can adversely affect the quality of waters of the state if the animals, animal activities, and animal wastes are not properly managed. Discharges from these types of operations can originate from one land owner/operator, and have similar discharge sources, environmental settings, and waiver conditions. Therefore, these types of discharge were grouped together into one discharge classification. Animal operations that comply with the waiver conditions are not expected to pose a threat to the quality of waters of the state.

Animals maintained at any of these operations generate wastes (i.e., manure, urine, soiled bedding) and may cause erosion. Wastes generated by the animals may be disposed of off site, or stockpiled and/or composted on site by the property/facility owner/operator. Animal wastes may also be allowed to decompose on site at the point of discharge by an animal. Fresh, uncomposted manure and/or dried, processed or composted manure may be used as a fertilizer, soil amendment, or mulch.

Animal wastes that remain on site can be a significant source for several pollutants that can adversely affect water quality. Animals that are allowed to roam and/or graze freely may cause significant erosion, which can result in destruction of wildlife habitat, increased runoff, in addition to adversely affecting water quality.

Animal activities and wastes, if not properly managed, can have a significant adverse impact on the quality of waters of the state. Additionally, storm water and surface runoff that is allowed to come in contact with these wastes can leach pollutants to underlying groundwater, or transport pollutants to surface waters. Storm water runoff from pastures and range lands on animal operations not designated as concentrated animal

feeding operations (CAFOs) is exempt from federal NPDES regulations.¹ However, storm water runoff from pasture and range lands is subject to regulations in the state Water Code and may be regulated with WDRs, unless a waiver is issued. Animal operations that properly manage their animal activities and wastes are not expected to pose a threat to the quality of waters of the state. Therefore, waiver conditions must require proper management and other measures to minimize or eliminate discharges of pollutants from animal operations to waters of the state.

The number of facilities and/or properties that may be eligible for a conditional waiver for discharges from animal operations is not known. According to the United States Department of Agriculture, there are over 700 horse farms in San Diego County. If animal operations with other types of animals are included, the number is likely to be in the thousands. Current San Diego Water Board resources would not be sufficient to issue WDRs to all the animal operations in the Region. However, cumulative discharges from these types of facilities can potentially have a significant impact on the quality of the waters in the Region. This, in turn, can increase the efforts required by cities and counties to comply with NPDES storm water and/or TMDL requirements.

A medium sized animal feeding operation (AFO), which manages 300 to 999 animal units (where 1 animal unit is equivalent to 1 cow or approximately 1,000 animal pounds), could, by itself, potentially be a significant source of pollutants due to the number of animals maintained. Depending on the design and management of a medium AFO, the facility may be designated as a CAFO. If an animal operation is designated as a CAFO, it is subject to NPDES regulations and would require regulation under WDRs that conform to NPDES requirements. Knowledge of the design and operation of a medium AFO is required to ensure MMs/BMPs are implemented and effective, and determine whether or not the facility should be designated as a CAFO. Therefore, medium AFOs should require enrollment as required in the existing conditional waivers.

Small AFOs and grazing lands, on the other hand, may only potentially be significant sources of pollutants if MMs/BMPs for animal wastes and activities are not properly implemented. Small AFOs and grazing lands should be eligible for a conditional waiver without enrollment as long as animal wastes and activities are properly managed. However, owners/operators of small AFOs and grazing lands that violate waiver conditions by not implementing MMs/BMPs and allow the degradation of water quality should be notified of their responsibilities and required to comply with waiver conditions. Enforcement actions can be taken against facilities that fail to comply with waiver conditions. Additionally, a small AFO may also be designated as a CAFO and be subject to NPDES regulations, requiring regulation under WDRs that conform to NPDES requirements.

Because the San Diego Water Board resources are limited, enforcing waiver conditions for animal operations that do not require enrollment is often limited to violators that are brought to the attention San Diego Water Board. Therefore, the San Diego Water

¹ Code of Federal Regulations Title 40 section 122.3(e)

3.1.A General Facility Design and Management Waiver Conditions

1. Animal operations must comply with any local, state, and federal ordinances and regulations and obtain any required approvals, permits, certifications, and/or licenses from authorized local agencies.
2. Animal operations must implement management measures (MMs) and/or best management practices (BMPs) to minimize or eliminate the discharge of pollutants that may adversely impact the quality or beneficial uses of waters of the state. Recommended MMs/BMPs are provided in *Equestrian-Related Waste Quality Best Management Practices* available from the County of San Diego Department of Agriculture, Weights and Measures, and/or the *Field Office Technical Guide* available from the Natural Resource Conservation Service (NRCS), or other sources.
3. Animal operations must prevent direct contact of animals with surface water bodies. Animals should not be allowed to graze directly adjacent to or within stream banks. Animal operations should maintain a buffer zone or riparian filter strip between the animals and any surface waters of the state. The buffer zone must adequately minimize the discharge of pollutants from an animal operation. There should be no direct exposure of a surface water body to an animal.

3.I.B. General Manure Management Waiver Conditions

1. Animal operations must prevent the direct or indirect discharge of animal wastes (manure, urine, soiled bedding) to any surface waters of the state (including ephemeral streams and vernal pools).
2. Animal operations must properly manage the wastes (i.e., manure, urine, soiled bedding) generated by the animals at the facility in accordance with the following guidelines:
 - a) Animal wastes should be collected and disposed of regularly (at least once every two weeks).
 - b) Animal wastes can be stored temporarily (no longer than two weeks) on site until disposal, unless animal wastes are composted on site. The amount of animal wastes stored in temporary storage area must not exceed the capacity of the storage area. If animal wastes exceed, or threaten to exceed the capacity of the temporary storage area, the animal wastes should be disposed of immediately.
 - c) Areas adjacent to temporary storage area for animal wastes should be graded to prevent storm water and surface runoff from reaching the storage area.
 - d) Temporary storage area should be on an impervious surface (e.g., concrete pad or plastic tarp) to prevent leaching of pollutants to groundwater.
 - e) Temporary storage area should be protected with a roof or cover, or at a minimum be covered with plastic sheeting if precipitation is forecast within the next 24 hours, to prevent direct contact between precipitation and animal wastes.

3. A buffer zone of at least 100 feet should be maintained between the manure applied to soil and any surface waters of the state, unless sufficient information is provided to demonstrate that a proposed alternative is protective of water quality.
4. The amount of soil amendment or mulch materials that can be applied to soil must be reasonable for the crop or plant, soil, climate, special local situations, management system, and type of soil amendment or mulch. Application rates must take into account storm events during the rainy season (October-May). Application rates must not allow soil amendment or mulch materials to be transported off the property in storm water runoff during the rainy season. Resources are available from the NRCS, University of California Cooperative Extension (UCCE), and other organizations. A copy of the calculations and/or estimate of the application rate must be available on site for inspection.
5. Apply amendment or mulch materials to soil at site-specific rates appropriate to the season (i.e., dry vs. rainy).
6. Implement MMs/BMPs in areas with soil amendment or mulch materials to minimize or eliminate runoff and leachate to surface waters and groundwater.

1. The San Diego Water Board and/or other local regulatory agencies must be allowed reasonable access to the site in order to perform inspections and conduct monitoring.
2. Animal operations must submit a Notice of Intent or technical and/or monitoring program reports when directed by the San Diego Water Board.

1. Small animal feeding operations (AFOs) must not discharge any pollutants to waters of the United States through any man-made conveyance, or directly to waters of the United States which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation.
2. Small AFOs must be operated and maintained in accordance with the regulations cited in California Code of Regulations Title 27 sections 22562 through 22565.

1. Medium AFOs must not discharge any pollutants to waters of the United States through any man-made conveyance, or directly to waters of the United States which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation.
2. Medium AFOs must be operated and maintained in accordance with the regulations cited in California Code of Regulations Title 27 sections 22562 through 22565.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Jessica Culper
2100 L Street NW
Washington, DC 20037

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee

X B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Return Receipt for Merchandise
☐ Registered ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 2.19
Certified Fee	2.05
Return Receipt Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.99

Postmark
Here

Sent To
Ms. Jessica Culper
Street, Apt. No.:
or PO Box No. 2100 L Street NW
City, State, ZIP+4
Washington, DC 20037

PS Form 3800, August 2005 See Reverse for Instructions

7006 2760 0000 1615 7493

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02